



**SNOWY MONARO**  
REGIONAL COUNCIL

# **ATTACHMENTS TO REPORTS**

**(Under Separate Cover)**

**Extraordinary Council Meeting**

**26 August 2021**





**ATTACHMENTS TO REPORTS  
FOR  
EXTRAORDINARY COUNCIL MEETING  
THURSDAY 26 AUGUST 2021**

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## CONDITIONS OF CONSENT

10.2021.16.1

### Part A – Administrative Conditions

**Reason for imposition of conditions:** Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

#### ADM\_01 Endorsed plans and supporting documentation:

Development must be carried out in accordance with the following plans and documentation, except where amended by Council and/or the conditions of this development consent.

Plan No.	Plan Title.	Drawn By.	Dated.
DA G1	Location Plan	David Law	18/01/2021
DA G2	Overall Site Plan	David Law	18/01/2021
DA G3	Detailed Site Plan	David Law	18/01/2021
Cabin: Managers Residence			
DA C1.1	Perspectives	David Law	18/01/2021
DA C1.2	Floor Plan	David Law	18/01/2021
DA C1.3	Roof Plan	David Law	18/01/2021
DA C1.4	Elevations	David Law	18/01/2021
Cabin: 2 Bedroom (Cabins 2, 3 & 4)			
DA C2.1	Perspectives	David Law	18/01/2021
DA C2.2	Floor Plan	David Law	18/01/2021
DA C2.3	Roof Plan	David Law	18/01/2021
DA C2.4	Elevations	David Law	18/01/2021
Cabin: 1 Bedroom (Cabin 1)			
DA C3.1	Perspectives	David Law	18/01/2021

DA C3.2	Floor Plan	David Law	18/01/2021
DA C3.3	Roof Plan	David Law	18/01/2021
DA C3.4	Elevations	David Law	18/01/2021
BA N2	BAISX Commitments	David Law	18/01/2021
DA N4	Window Schedule	David Law	18/01/2021
DA N5	Window Schedule	David Law	18/01/2021
DA N6	Window Schedule	David Law	18/01/2021

Document Title.	Prepared By.	Dated.
Statement of Environmental Effects	Dabyne Planning	January 2021
BASIX Certificate – 1171655M	David Law	27/01/2021
NatHERs Certificate – - QMYVAES4WN - TK9A9LX0KB - GA6CLGMB6D - VOQMC7U0NE - FPFQGMKKH	Living Building Solutions	27/01/2021
Bushfire Assessment Report	Dabyne Planning	January 2021

In the event of any inconsistency between the approved plans and the supporting documentation, the plans will prevail.

*Reason: It is in the public interest that work is carried out in accordance with the approved plans. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.*

**ADM\_03 Compliance with the Building Code of Australia and insurance requirements under the Home Building Act 1989**

For the purposes of section 4.17(11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- a. that the work must be carried out in accordance with the requirements of

the Building Code of Australia.

- b. in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- c. to the extent to which an exemption is in force under the Home Building Regulation 2004, or
- d. to the erection of a temporary building.

**Note:** In this condition, a reference to the BCA is a reference to that code as in force on the date the application for the relevant Construction Certificate is made

*Reason: To ensure the development complies with the requirements of Clause 98 of the Environmental Planning and Assessment Regulations 2000, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended*

#### **ADM\_04 Development Stages**

The development is approved, with each stage comprising the following elements:

Stage 1: Cabins A, B & M (Managers Residence)

Stage 2: Cabins C & D

*Reason: To allow for the orderly sequencing of the development*

#### **ADM\_05 Staging of development**

Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the approved development in stages, provided that all conditions of consent relevant to the development incorporated within each stage have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that stage.

*Reason: To allow for the orderly sequencing of the development and compliance with relevant conditions for each stage.*

#### **ADM\_06 BASIX requirements**

Under Clause 97A (3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments

listed in each relevant BASIX Certificate for the development are fulfilled.

Relevant BASIX Certification means:

- a. A BASIX Certificate that was applicable to the development when this development consent was granted or modified in accordance with Section 4.55 of the EP&A Act, or;
- b. If a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate.

*Reason: To ensure the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17 (11) of the Environmental Planning and Assessment Act 1979, as amended.*

#### Part B – Other Approvals

##### **OA\_04 Water supply, stormwater and sewerage works**

Prior to issue of the Construction Certificate, an application pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works must be submitted to Council.

The developer is to ensure that approval for the s68 application must be obtained prior to any plumbing and drainage works being undertaken on the site

Note - Failure to obtain the Section 68 Approval prior to works being undertaken may result in the developer receiving a monetary penalty and the plumber being subject to investigation by the Department of Fair Trading and a fine exceeding \$1500.

##### **OA\_05 Separate Section 68 Approval to Install On-site Sewage Management System**

Notwithstanding the issue of this development consent, separate approval from council under Section 68 of the Local Government Act 1993 to install on-site sewage management system must be obtained prior to release of the Construction Certificate. Application for approval under Section 68 to Install On-site Sewage Management System must be submitted on council's standard application form and be accompanied by the required attachments and prescribed fee.

##### **OA\_01 Separate Section 138 Permit - Roads Act 1993**

Notwithstanding the issue of this development consent, separate consent from

Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of a new driveway access (or modification of access) and prior to the issue of an occupation certificate. Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

### Part C – Prior To the Issue of the Relevant Construction Certificate

#### PCC\_02 Section 7.11 Contributions

The payment of contributions to Council is required to cater for the increased demand for infrastructure resulting from the approved development pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development:

Community Services and Facilities	\$ 1757
Regional Waste	\$ 2109
Bushfire Services	\$ 625
Open Space and Public Art	\$ 420
Sports-field and Recreation Facilities	\$ 2890
Jindabyne Area Shared Trails	\$ 1514
Jindabyne Area Shared Pathways	\$ 206
<b>Total</b>	<b>\$9,521.00</b>

The above contributions have been imposed in accordance with the Snowy River Development Contributions Plan 2008. The contribution is based on an additional one (1) dwelling and seven (7) additional tourist accommodation rooms. Contributions will be reassessed at the time of payment in accordance with Council's adopted Fees and Charges and may be subject to an increase by CPI. The above-specified Contribution Plans may be inspected at Council offices

It is the responsibility of the Principal Certifying Authority that the nominated contributions have been paid to Council, prior to the issue of the construction certificate for stage 1

Reason: In accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and Council's Contributions Plan"

**PCC\_06 Long service levy**

In accordance with Section 6.8(1)(b) of the Environmental Planning and Assessment Act 1979, a Construction Certificate must not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment must be provided to Council.

**Part D – Prior To the Commencement of Works**

**PCW\_01 Prior to the commencement of works**

No construction works approved by this consent are to commence unless the following have been satisfied:

- A. A Construction Certificate has been issued by a certifying authority.
- B. A Principal Certifying Authority has been appointed by the person having benefit of the development consent.
- C. A notice of commencement of building or subdivision works, and details of the appointed Principal Certifying Authority (in the event that Council is not appointed), are issued to Council at least 48 hours prior to the commencement of works.
- D. The Principal Certifying Authority is notified in writing of the name and contractor license number of the owner/builder intending to carry out the approved works.

**PCW\_03 Erection of signage**

A sign must be erected in a prominent position on any site on which any approved work is to be carried out:

- showing the name, address and telephone number of the certifying authority for the work;
- showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and



- stating that unauthorised entry to the work site is prohibited.

The sign must be maintained while the approved work is being carried out and must be removed when the work has been completed

*Reason: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended.*

**PCW\_05 Erosion and drainage management**

Earthworks and/or demolition of any existing buildings must not commence until an erosion and sediment control plan is submitted to, and to the satisfaction of the Principal Certifying Authority. The plan must comply with the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (The Blue Book).

Erosion and sediment control works must be implemented in accordance with the erosion and sediment control plan.

*Reason: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.*

**PCW\_16 Termite Control**

Prior to the commencement of works, the Applicant will submit to the satisfaction of the PCA (i.e. Council or Private Certifier) documentation confirming the building will be protected from termite attack in accordance with the provisions of Australian Standard AS 3660.1. The submitted documentation will include:

- a) details of the proposed methods to be used; and
- b) certification of works performed;

A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:

- a) the method of protection;
- b) the date of installation;
- c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and.

d) the need to maintain and inspect the system on a regular basis.

NOTE: Under slab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

**PCW\_19 Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

**Part E – During Construction**

**DC\_01 Erosion and drainage management**

Erosion and sediment control works must be implemented in accordance with the endorsed erosion and sediment control plan and maintained throughout the construction process.

*Reason: It is in the public interest that the development works do not damage existing Council infrastructure and accordingly a record of existing conditions is required. Section 4.15(e) of the Environmental Planning and Assessment Act 1979.*

**DC\_04 Use of Power Tools - Non-Residential Areas**

The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:

Monday to Friday: 7.00am to 8.00pm

Saturday: 7.00am to 8.00pm

Sunday: 8.00am to 8.00pm

Public Holidays: 8.00am to 8.00pm

*Reason: To ensure building works do not have adverse effects on the amenity of the area.*

**DC\_06 Principal Certifying Authority**

A Principal Certifying Authority appointed to replace another must ensure that notice of the appointment and of the approval of the appointment is given to the consent authority and Council (if not the relevant consent authority) within 48

hours of the appointment.

**DC\_07 Inspections**

All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifying Authority must be carried out during the relevant stage of construction. Work must not proceed beyond each critical stage until the Principal Certifying Authority is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. Council must be given 48 hours' notice to undertake the inspections..

*Reason: It is in the public interest that critical stage inspections be issued for these components of the development in accordance with Section 162A of the Environmental Planning and Assessment Regulations 2000 as amended.*

**DC\_09 Site maintenance**

The principal contractor, owner-builder or any other person having benefit of the development consent must ensure that:

- approved sediment and erosion control measures are installed and maintained during the construction period;
- building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held; and
- the site is clear of waste and debris at the completion of works.

Such measures will be in place throughout the construction process.

**DC\_11 Archaeology**

If any unexpected archaeological finds (relics/foundations associated with early European occupation) or Aboriginal relics are encountered during excavation, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval shall be completed if required to disturb relics, based on the nature of the discovery.

**DC\_16 Cut and fill**

Soil removed from or imported to the site must be managed in accordance with the following principles:

- A. All excavated material removed from the site must be classified in accordance with the Department of Environment, Climate Change and Water

NSW's Waste Classification Guidelines prior to disposal to an approved waste management facility and reported to the Principal Certifying Authority.

- B. All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material approved under the Department of Environment and Climate Change's general resource recovery exemption.

**DC\_23      Approved Plans on Site**

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times during construction and will be readily available for perusal by any officer of the Council or the PCA.

**DC\_25      Excavation**

1. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards.
2. The developer is to ensure that all excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.
3. The developer is to ensure that if an excavation associated with the development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
  - a. preserve and protect the adjoining building from damage, and if necessary, underpin and support the building in an approved manner; and
  - b. at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
4. The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of

land. An allotment of land includes a public road and any other public place.

5. The developer is to ensure that the toe of any embankment to a site excavation is a minimum 900mm from the external walls and graded to drain all surface water away from the building. The ground level adjacent to the building is to be no less than 150mm below the top of the reinforced concrete floor slab.

*Reason: To ensure the development complies with the requirements of Clause 98E of the Environmental Planning and Assessment Regulations 2000, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended*

#### Part F – Prior To the Issue of an Occupation Certificate

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##### **POC\_01 Occupation Certificates**

The owner, principal contractor or owner-builder must meet all costs associated with the foregoing conditions which must be completed prior to the issue of the relevant Occupation Certificate, unless otherwise stated.

##### **POC\_02 Smoke alarms**

Smoke alarms must be installed in each Class 1 building or dwelling in accordance with the relevant provisions of the BCA – Housing Provisions, and in accordance with AS 3786. Smoke alarms must be connected to the consumer mains electric power supply and provided with a battery back-up. A Compliance Certificate certifying the installation of smoke alarms must be provided to the Principal Certifying Authority prior to the issue of the relevant Occupation Certificate.

##### **POC\_04 Infrastructure repair**

Prior to the issue of an Occupation Certificate, any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired to the satisfaction of Council and at no cost to Council.

##### **POC\_08 Services**

Any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications required as a result of the development must be at no cost to Council and undertaken prior to

the issue of the relevant Occupation Certificate.

**POC\_09 Waste management**

All refuse, spoil and/or material unsuitable for use must be removed from the site and lawfully disposed of upon completion of the building works and prior to the issue of the relevant Occupation Certificate.

**POC\_12 Fulfilment of BASIX commitments**

The person having benefit of the development consent must demonstrate the fulfilment of BASIX commitments pertaining to the development prior to the issue of the relevant Occupation Certificate as required under Condition **ADM\_06**.

**POC\_15 Fire safety**

Prior to the issue of the relevant Occupation Certificate, the Principal Certifying Authority must be satisfied that a Fire Safety Certificate for all the essential fire or other safety measures forming part of this consent has been completed, and that a copy of the Fire Safety Certificate has been provided to Council.

**POC\_19 Finished Drainage System**

The developer is to submit two copies of the finished internal storm water drainage system to Council prior to the release of the Final Occupancy Certificate. The developer must ensure that the internal stormwater drainage system plans details include: a silt arrestor / surcharge pit within and adjacent to the property boundary, details of the point of discharge.

*Reason: To ensure adequate records are made of systems installed.*

**POC\_20 Separate S68 Approval to Operate On-site Sewage Management System**

Notwithstanding the issue of this development consent, separate approval from council under Section 68 of the Local Government Act 1993 to operate on-site sewage management system must be obtained prior to release of the Occupancy Certificate. Application for approval under Section 68 to Operate On-site Sewage Management System must be submitted on council's standard application form and be accompanied by the required attachments and prescribed fee.

**POC\_23 Road Damage**

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be repaired to the satisfaction of Council and to be met in full by the applicant prior to the issue of an Occupation Certificate.

**POC\_31 Code of Conduct for Guests**

Prior to the occupation and commencement of use the developer is to submit to Council for approval a Code of Conduct for Guests. The document should address (but not be limited to) the following issues:

- a) Advise visitors of access points to the site and general circulation patterns;
- b) Demand reduction strategies for visitor water and energy usage;
- c) Restricted access areas in order to protect neighbouring properties privacy;
- d) Advice on visitor etiquette;
- e) Bushfire prevention strategies; and
- f) Waste management and minimisation.

*Note: This document is to be provided to guests prior to arrival.*

**POC\_32 Eco-tourist Accreditation**

The eco tourist development shall gain T-QUAL Accreditation and Certification through Eco Tourism Australia prior to commencement of operation and shall maintain these (or equivalent accreditations) throughout the life of the development.

**POC\_33 Water Supply to Tourist Facilities / Commercial Operations**

As a facility that will supply drinking water from an independent water supply (not town water) to consumers the operator of the premises will be a private water supplier.

The Private Water Supplier must develop and adhere to a quality assurance management plan (or drinking water management plan) from 1 September 2014 in accordance with the requirements of the Public Health Act 2010 and the Public Health Regulation 2012. Guidance and assistance can be sought from Councils Environmental Health Officers and with reference to:

<http://www0.health.nsw.gov.au/publichealth/environment/water/privatesupplies.asp>

<http://www0.health.nsw.gov.au/resources/publichealth/environment/water/pdf/pwsg.pdf>

A copy of your Drinking Water Management Plan must be provided to Council prior to the commencement of use.

The rainwater tanks and rainwater must be used and maintained in accordance with the NSW Health Private Water Supply Guidelines at all times.

**POC\_34 Bushfire Compliance Inspection**

Prior to the issue of the each occupation certificate an inspection is to be carried out by a suitably qualified consultant and evidence provided demonstrating compliance with conditions of the NSW Rural Fire Service Bushfire Safety Authority.

**PART H – ONGOING USE AND OPERATION**

**OU\_02 External lighting**

At all times for the life of the approved development, all outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and must comply with, where relevant, AS1158.3-1999 Pedestrian Area Category PI Lighting, and AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting.

**OU\_05 Waste management**

Provision for the storage of waste and recyclable materials, and the collection of waste and recyclable materials must be provided in line with the approved waste management plan or so that materials generated by the development are contained within the site.

*Reason: To sure the site is kept in a safe and health condition and all materials are contained within the site.*

**OU\_07 Smoke alarms**

Smoke alarms must be maintained in each Class 1 building or dwelling in accordance with the relevant provisions of the BCA – Housing Provisions, and in accordance with AS 3786. Smoke alarms must be connected to the consumer mains electric power supply and provided with a battery back-up.

**OU\_12 Maintenance of BASIX Commitments**

All BASIX commitments must be maintained in accordance with the requirements in Condition **ADM\_06**.



**OU\_17 Roof Water**

The developer shall ensure that all stormwater is directed from the roof to rainwater storage tanks.

**OU\_19 Rainwater Tanks**

1. All fixtures connected to the supply system are marked 'RAINWATER'.
2. Rainwater tanks are de-sludged every three years.
3. For Non-Charged Systems rainwater tanks are to be fitted with a first flush device and filter sock to prevent potential contaminants from entering the tank.
4. For Charged Systems the charged line must have a flush out drain point.
5. Rainwater tanks are fitted with the following:
  - a) Impervious covers and all access points, except for inlet and overflow, are fitted with close fitting lids.
  - b) The inlet and overflow shall incorporate a mesh covering and/or strainer.
6. The tank is enclosed, and inlets screened, to prevent the entry of foreign matter and to prevent mosquito breeding.
7. The roof catchment area is to be kept clear of overhanging vegetation.
8. Pumps are to be covered or screened to avoid noise nuisances to neighbouring properties.
9. All storm water that is not collected by the tank is to be directed away from tank foundations, buildings or other structures onto gardens or into rubble pits or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.
10. Tank overflow is to be connected to a retention/infiltration device, swale, appropriate landscaping or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.

**OU\_23 Garbage Disposal – Commercial**

A 240-litre capacity wheeled garbage bin and a 360-litre recycling bin of a type provided by Council must be provided for each cabin and the manager's residence.

All bins are to be stored within the designated fenced Eco-tourist facility area.

Disposal of Garbage from the development is the responsibility of the operator and requires service from either Council or a commercial agreement with a waste

disposal contractor.

No waste or garbage is to be burnt or buried on site (other than compostable materials).

The developer shall ensure that arrangements are put into place and evidence provided to Council prior to the commencement of use.

Note - to arrange for the provision of bins for the development please contact Council 1300 345 345.

**OU\_24 Maintenance of Garbage Bins**

Garbage bins are to be maintained in good order and healthy state ; and used only for the purpose of storage and collection of garbage.

**OU\_28 External Finishes**

The materials and colours of external features of any building, driveways, walkways or large paved areas shall be in colours that blend with the surrounding natural materials (e.g. olive or mist green, light or slate grey, light browns) and shall be non-reflective.

The approved colours of the exterior of the building are:

Roof – Monument

Walls – Basalt and Monument

Eaves – Surfmist

Note: This condition can be amended with the written consent of Council.

The colours and materials for the development are those shown on the approved schedule.

**OU\_33 Occupancy Rates – Short Term Accommodation**

The bedrooms in each in the building are to be occupied by a number of persons not exceeding the number listed in the following schedule:

Cabin 1 = 3 Persons

Cabins 2, 3 & 4

Bedroom 1 = 2 Persons

Bedroom 2 = 2 Persons

The proposed development is not used to accommodate more than 15 persons for short term accommodation.

**OU\_36 Advertising Signage**

No external advertising or business signage is approved by this consent. Any future signage will be the subject of a separate development application, where statutorily required

**OU\_50 Code of Conduct for Guests**

The developer shall provide the approved Code of Conduct to guests prior to arrival.

**OU\_51 Fencing**

The developer shall ensure that the development site (Lot 402 DP 841251) fully fenced in accordance with the stamped plan and signage is erected to inform guests of the boundary of the property and that they must stay within the property boundaries when using the accommodation. This fencing shall be constructed at the full cost of the developer irrespective of the requirements of the Dividing Fences Act.

**OU\_52 Business Operation and Use of Eco Tourist Facility**

- a) At all times the building is being used only for the purpose of an eco-tourism cabin as defined in the Snowy River Shire Local Environmental Plan.
- b) The eco tourist facility shall be available for patrons on a year-round basis and shall not be used solely by the owners of the cabin as a holiday home.
- c) The manager of the eco tourist facility must provide to guests a copy of the Code of Conduct prior to their arrival on site and a copy shall be provided within each cabin.
- d) A notice must be provided in the cabin asking the guests and visitors to respect the rural nature of the surrounding area and the amenity and privacy of neighbours.
- e) The eco tourist facility is to be used solely for the provision of temporary holiday accommodation for guests, for a period of no more than three (3) consecutive months.
- f) The development shall be managed by a suitably qualified on-site property manager. The on-site property manager shall be available to respond to complaints from neighbours and manage the conduct of the tourists occupying the cabin.
- g) The operator is to ensure that any deliveries that related to the development are to occur only during normal working hours (8am–5pm Monday to Saturday) and no deliveries to occur on Sunday or public holidays.

- h) The eco tourist cabin is not to be occupied by a number of persons exceeding two (2).

**OU\_53 Driveways within the Development**

- The developer is to ensure that the driveways within the development are constructed and maintained in accordance with the requirements of the Department of Land and Water Conservation pamphlet "Guidelines for the Planning, Construction and Maintenance of Trails".
- The developer is to ensure that in conjunction with the "Guidelines for the Planning, Construction and Maintenance of Trails" the internal driveways are constructed in accordance with the following standards:
  - (a) The road must be 4 metres wide;
  - (b) Cross slope of the road must be no greater than 1:14 or 7% (i.e. a 28cm drop over 4 metres); and
  - (c) Road gradients must not exceed 16.7% (1:6) for gravel construction and 20% (1:5) for sealed surfaces.

**OU\_14 Fire Safety**

Each year the owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

**OU\_54 Back-up Generators**

The developer shall ensure backup generators (required for each cabin) are housed within a structure which has been designed and constructed to achieve satisfactory mitigation to minimize noise disturbance to adjoining properties.

**OU\_54 Water Supply**

The Eco –tourist facility shall be serviced by a water supply (not including any requirement to static water supply as required by the NSW Rural Fire Service), consisting of a tank not less than 10,000 litres for each cabin with a feeder tank of not less than 100,000 litres to service the development.

Note – the NSW RFS have required static water supplies additional to that which is required by this condition.

**PART I – ENGINEERING CONDITIONS**

**SUB\_11 Construction Certificate (for works within a right of carriageway)**

Construction of road works (including clearing, earthworks, demolition or other works) must not commence until a Construction Certificate for those works has been issued in conformity with the relevant provisions of the Environmental Planning and Assessment Act and related Regulations.

**SUB\_15 Pre-commencement Meeting**

Prior to the commencement of works within the road reserve, the developer and contractor shall meet on site with Council's representative to review the scope of works, soil and water management control measures and the inspection and testing regime. The developer or his representative shall make arrangements with Council for this meeting not less than seven days in advance.

**SUB\_23 Traffic Control**

The developer shall ensure that traffic control measures are implemented for all works within public roads in conformity with Traffic Control Plans prepared and approved by a competent person accredited by Transport for NSW. A traffic control plan prepared and approved by a competent person accredited by Transport for NSW must be submitted to Council for each stage of development if working on a public road prior to the issue of a s138 approval under the Roads Act.

**UB\_17 Soil and Water Management**

The developer shall prepare and implement an effective Soil and Water Management Plan in conformity with Council's Development Design and Construction Specifications prior to the commencement of any works on site and shall maintain the control measures until after the effective stabilisation and revegetation of the site.

No works shall commence on the public road until Council is satisfied that the Soil and Water Management Plan satisfies this condition.

**SUB\_10 Completion of Engineering Works**

The developer shall complete all engineering works in accordance with the conditions of this consent together with any necessary work to make the construction effective. The costs of all engineering works shall be fully borne by the applicant/developer and any damage to Council's assets shall be made good, prior to the issue of the Occupation Certificate.

**SUB\_30 Widening of Rural Right of Carriageway**

The carriageway within Lot 7, DP 703737 that provides access to lot 402 DP841251, shall be widened in conformity with Council's Development Design and Construction Specifications to include the following:

- a. a 6.4 metre wide gravel pavement
- b. minimum gravel thickness of 150 mm
- c. suitable drainage works
- d. suitable erosion protection measures
- e. installation of guide posts

**SUB\_31 Westons Road construction – two lane unsealed**

Westons Road shall be upgraded in conformity with Council's Development Design and Construction Specifications as a two-lane gravel road to include the following:

- a. Construction between Lot 302 DP747746 and the commencement of the right of carriageway in Lot 7 DP703737.
- b. A 6.4 metre wide gravel pavement not less than 150mm thick.
- c. 1.5 metre wide table drains.
- d. Construction of guard rail
- e. Constructed storm water drainage (minimum pipe size shall be 450mm diameter).
- f. Installation of guideposts, protection fencing, pavement markings and signposting, to the standards specified in the Austroads "Guide to Road Design".
- g. Road design speed of not less than 50 km/hr.

**SUB\_32 Works-as-executed Plan**

Upon completion of the works, the developer shall provide Council with a complete set of plans of the works as constructed, detailing all variations from the approved plans and to the acceptance of the Council's Development Engineer or his nominee. These Works-As-Executed plans shall be submitted to Council in hardcopy format (A1), and electronic format (.pdf). These plans must be prepared and certified by a Registered Surveyor or Chartered Professional Engineer. The developer shall also provide to Council a data file suitable for input into Council's Geographic Information System defining the location of all roads, water supply, sewerage and, storm water infrastructure to the acceptance of the Council.

**PART J – AGENCY SPECIFIC CONDITIONS**

**AS\_01 Agency Specific**

**General Conditions**

1. This Bushfire Safety Authority supersedes our previous correspondence dated Friday 25 June 2021.

**Asset Protection Zones**

***Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.***

2. Prior to the commencement of use of each stage (tourist and visitor accommodation), and in perpetuity the area around the proposed cabins shall be managed as outlined within section 6.8a and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones as follows:

**Proposed Cabins A, C and D**

- North, East and South Directions: Inner Protection Area (IPA) for a distance of 93 metres; and
- West Direction: IPA for a distance of 67 metres.

**Proposed Cabin B**

- North and South Directions: IPA for a distance of 93 metres;
- East Direction: IPA for a distance of 100 metres; and,
- West Direction: IPA for a distance of 67 metres.

3. At the commencement of building works, and in perpetuity, the area around the proposed managers residence shall be managed as outlined within section 7.4 and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones as follows:

- North, South and East Directions: IPA for a distance of 57 metres; and,
- West Direction: IPA for a distance of 40 metres.

4. Prior to the commencement of use of stage 1, and in perpetuity, the area around the existing dwelling shall be managed as outlined within section 7.4 and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural

Fire Service's document Standards for Asset Protection Zones as follows:

- North Direction: IPA for a distance of 31 metres;
- East and South Directions: IPA for a distance of 39 metres; and,
- West Direction: IPA for a distance of 20 metres.

Note: The NSW Rural Fire Services assessment is based on the proposed development being located on Lot 402 DP 841251. Where the asset protection zones listed in condition 2 and 3 extend outside of the property boundaries approved under DA4023/2019, Council shall be satisfied a suitable legal mechanism is in place to ensure their management in perpetuity.

#### **Construction Standards**

***Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.***

5. New construction shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone area or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and as amended by section 7.5 of Planning for Bush Fire Protection 2019.
6. Prior to the commencement of use of stage 1, the existing dwelling is required to be upgraded to improve ember protection, unless already constructed to a relevant standard. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

#### **Access - Internal Roads**

***Intent of measures: to provide safe operational access for emergency services personnel in suppressing a bushfire, while residents are accessing or egressing an area.***

7. Council shall be satisfied access to the site from Alpine Way to the proposed development and the existing dwelling meet the following requirements for



Property Access Roads as detailed in Planning for Bush Fire Protection 2019:

- Property access roads are two-wheel drive, all-weather roads;
- The capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly indicate load rating.
- There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available;
- Minimum 4m carriageway width;
- In forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay;
- A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- Property access must provide a suitable turning area in accordance with Appendix 3 of Planning for Bushfire Protection 2019;
- Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- The minimum distance between inner and outer curves is 6m;
- The cross fall is not more than 10 degrees; and,
- Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community style development property access roads in addition to the above.

#### **Water and Utility Services**

***Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.***

8. The provision of water, electricity and gas services to comply with the

following in accordance with Table 6.8 of *Planning for Bush Fire Protection 2019*:

- A 30,000 litre static water supply must be provided on-site (at the managers residence);
- A 15,000 litre static water supply must be provided on-site (at each cabin)
- An outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure, (5-20 metres);
- 65mm Storz connection with a ball valve is fitted to the outlet;
- The ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material;
- Underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank;
- A hardened ground surface for truck access is supplied within 4m of the water outlet or access hole;
- above-ground tanks are manufactured from concrete or metal;
- Raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine;
- Unobstructed access can be provided at all times;
- Underground tanks are clearly marked;
- Tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters;
- All exposed water pipes external to the building are metal, including any fittings;
- Where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and

- Fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005;
- A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - Markers must be fixed in a suitable location so as to be highly visible; and
  - Markers should be positioned adjacent to the most appropriate access for the water supply.
- Where practicable, electrical transmission lines are underground;
- Where overhead, electrical transmission lines are proposed as follows:
  - Lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - No part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- All fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- Connections to and from gas cylinders are metal;
- Polymer-sheathed flexible gas supply lines are not used; and
- Above-ground gas service pipes are metal, including and up to any outlets

**Emergency and Evacuation Planning Assessment**

***Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.***

9. Prior to the commencement of use (tourist and visitor accommodation), a Bush Fire Emergency Management and Evacuation Plan shall be prepared as

outlined below:

- NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;
- Australian Standard AS 3745:2010 Planning for emergencies in facilities;
- The Bush Fire Emergency Management and Evacuation Plan must consider a mechanism for the early relocation of occupants on days when adverse fire weather is notified or adverse fire activity occurs in the local government area in which the development operates;
- The Bush Fire Emergency Management and Evacuation Plan shall include non-occupation on days of extreme or catastrophic fire danger; and,
- A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

For proposals in isolated or remote areas which involve large travel distances through bush fire prone vegetation,

- the following issues should be determined and addressed:
- The amount of travel likely to be generated during an emergency evacuation;
- The capacity of the broader road network to facilitate safe emergency evacuation;
- Limitations/constraints inherent in the road system; and
- Management of potential traffic conflicts (such as emergency vehicles versus evacuating members of the public)

#### **General Advice — Consent Authority to Note**

In recognition of the isolated nature of the proposed development, the above general terms of approval have adopted a combination of additional bushfire protection measures. Additional measures are summarised as follows;

- Establish APZs to achieve 10kW/m2 and construct to BAL 29 for the proposed cabins;

- Establish APZs to achieve BAL 12.5 and construct to BAL 29 for the proposed Mangers residence;
- Increased quantities of static water supply for the proposed cabins and managers residence.

The NSW Rural Fire Service recommends the owner of the site consider implementing a static water supply complying with condition 7 for the existing dwelling.

The above general terms of approval are based on the development being referred to the NSW Rural Fire Service as Eco-Tourism development.

The above general terms of approval relates to the proposed development as shown on the plan prepared by David Law, titled Site and Location Detail Site Plan, drawing number DA G3, Issue D, dated 27/1/21.

Received  
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29/1/2021.

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251, Westons Rd, Crackenback, 2627  
for  
Niven Investments



IMAGE FROM MAPS.SIX.NSW.GOV.AU

SITE AERIAL LOCATION PLAN NOT TO SCALE

**Project Consultants**  
Refer to consultant documentation when directed  
- Planning Consultant: Dabyne Planning Pty Ltd  
- Bushfire Consultant: Dabyne Planning Pty Ltd  
- Flora & Fauna Consultant: Dabyne Planning Pty Ltd



**DAVID  
LAW**

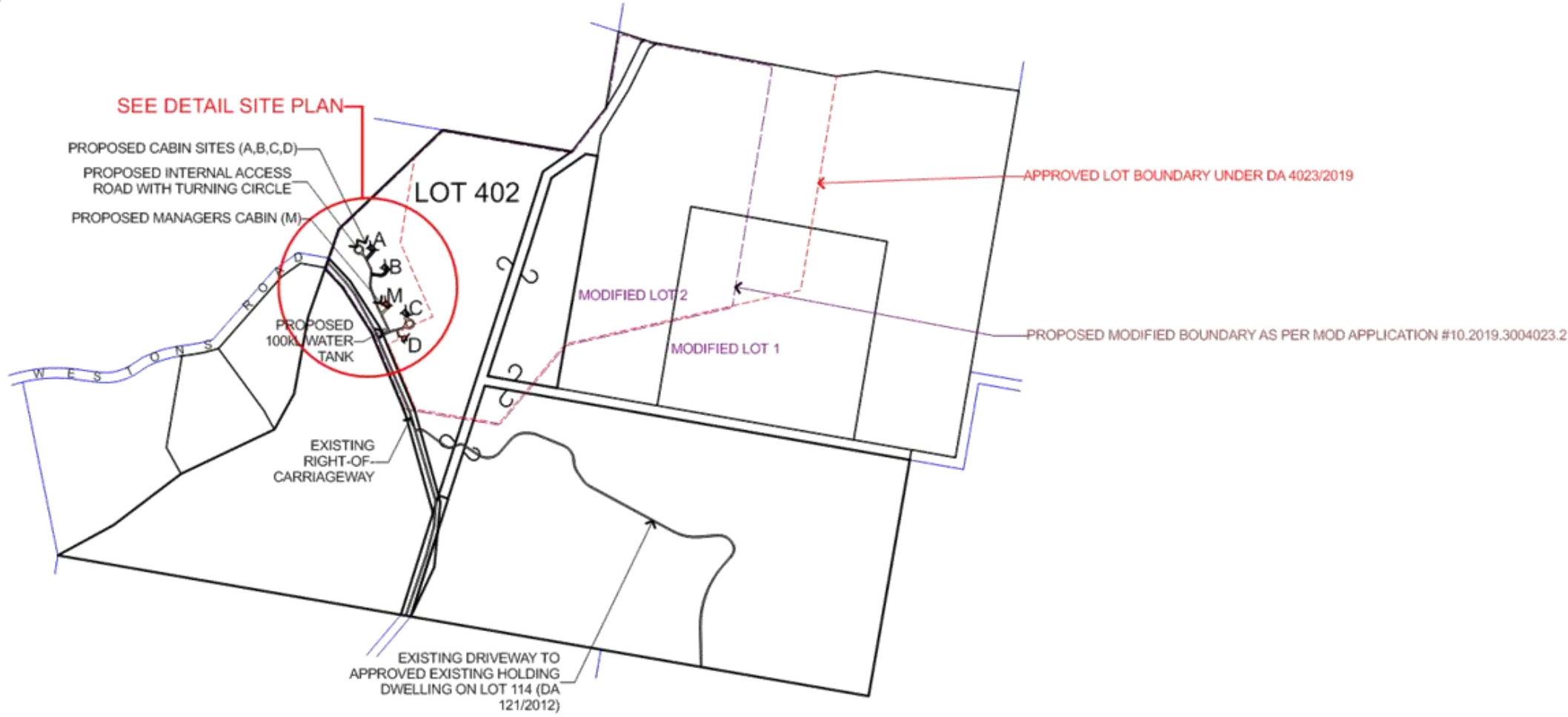
David Law B.Sc(Arch) B. Arch  
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37 BAY VIEW AVE EAST GOSFORD NSW 2250  
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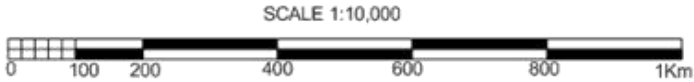
DRAWING TITLE :		DATE :
SITE AND LOCATION LOCATION PLAN		27/1/21
PROJECT NAME :	DRAWING NO. :	ISSUE :
Niven Investments - Eco	DA G1	D



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SITE OVERALL SITE PLAN 1:10000



Proposed Eco Tourist Facility Cabins  
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Westons Rd, Crackenback  
For Niven Investments

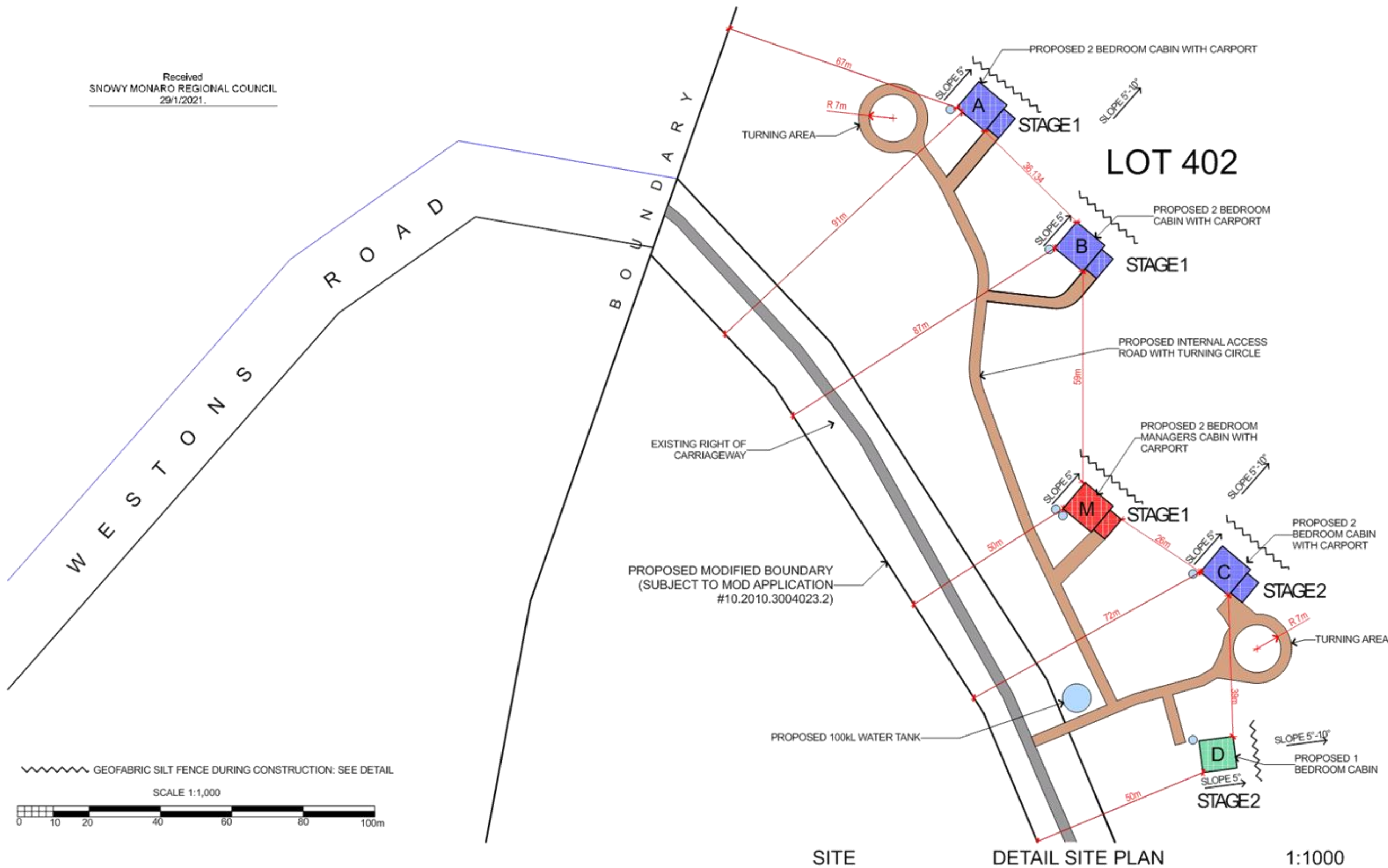


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DRAWING TITLE : <b>SITE AND LOCATION SITE PLAN</b>		DATE : <b>27/1/21</b>
PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. : <b>DA G2</b>	ISSUE : <b>D</b>



Proposed Eco Tourist Facility Cabins  
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For Niven Investments



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DRAWING TITLE:  
**SITE AND LOCATION  
DETAIL SITE PLAN**

DATE:  
27/1/21

PROJECT NAME:  
**Niven Investments - Eco**

DRAWING NO.  
**DA G3**

ISSUE:  
**D**



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CABIN: MANAGER 3D VIEW NW



CABIN: MANAGER 3D VIEW SW

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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**CABIN: MANAGER  
PERSPECTIVES**

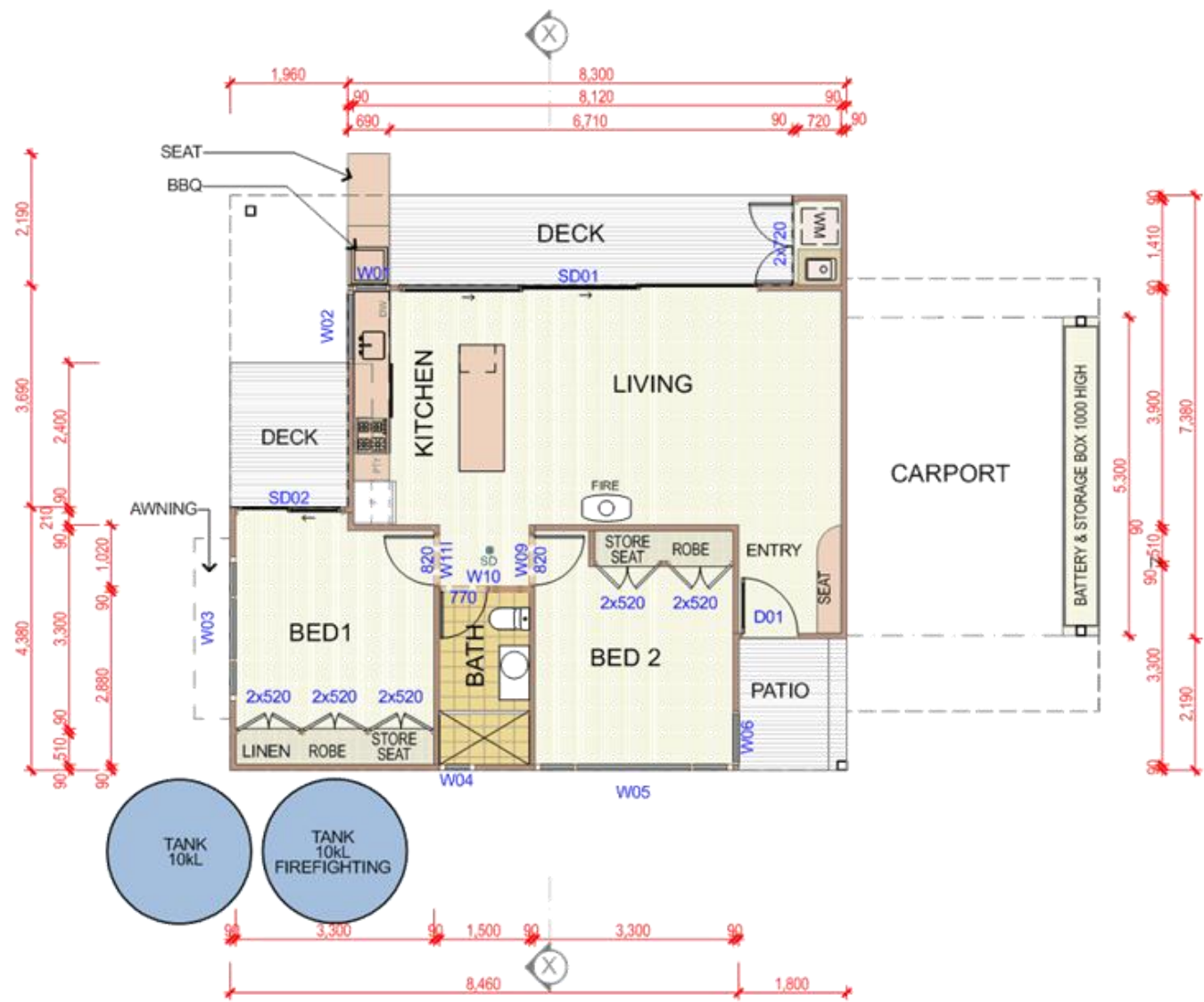
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PROJECT NAME :  
**Niven Investments - Eco**

DRAWING NO.:  
**DA C1.1**

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MANAGERS CABIN FLOOR PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



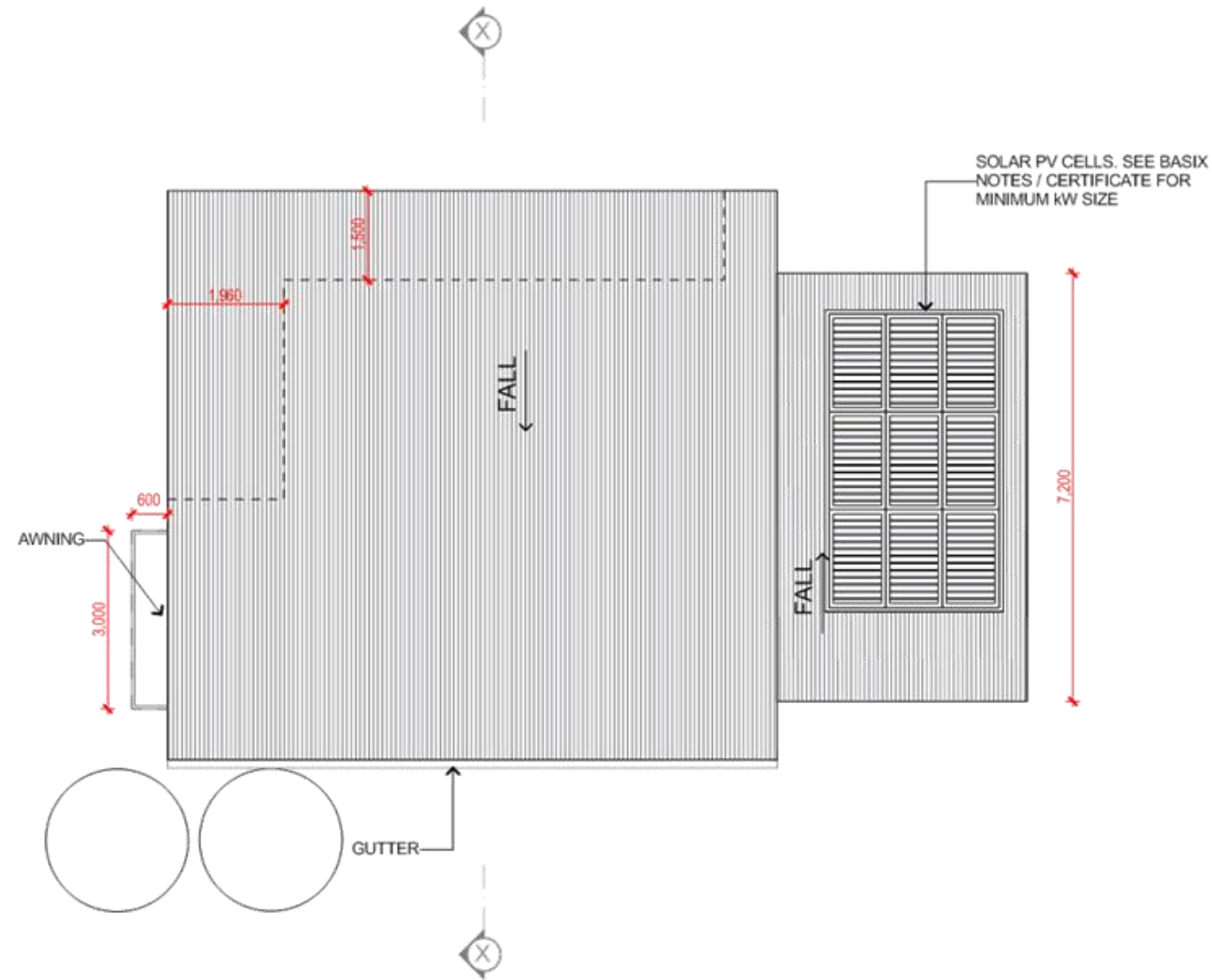
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CABIN: MANAGERS ROOF PLAN 1:100



Proposed Eco Tourist Facility Cabins  
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Westons Rd, Crackenback  
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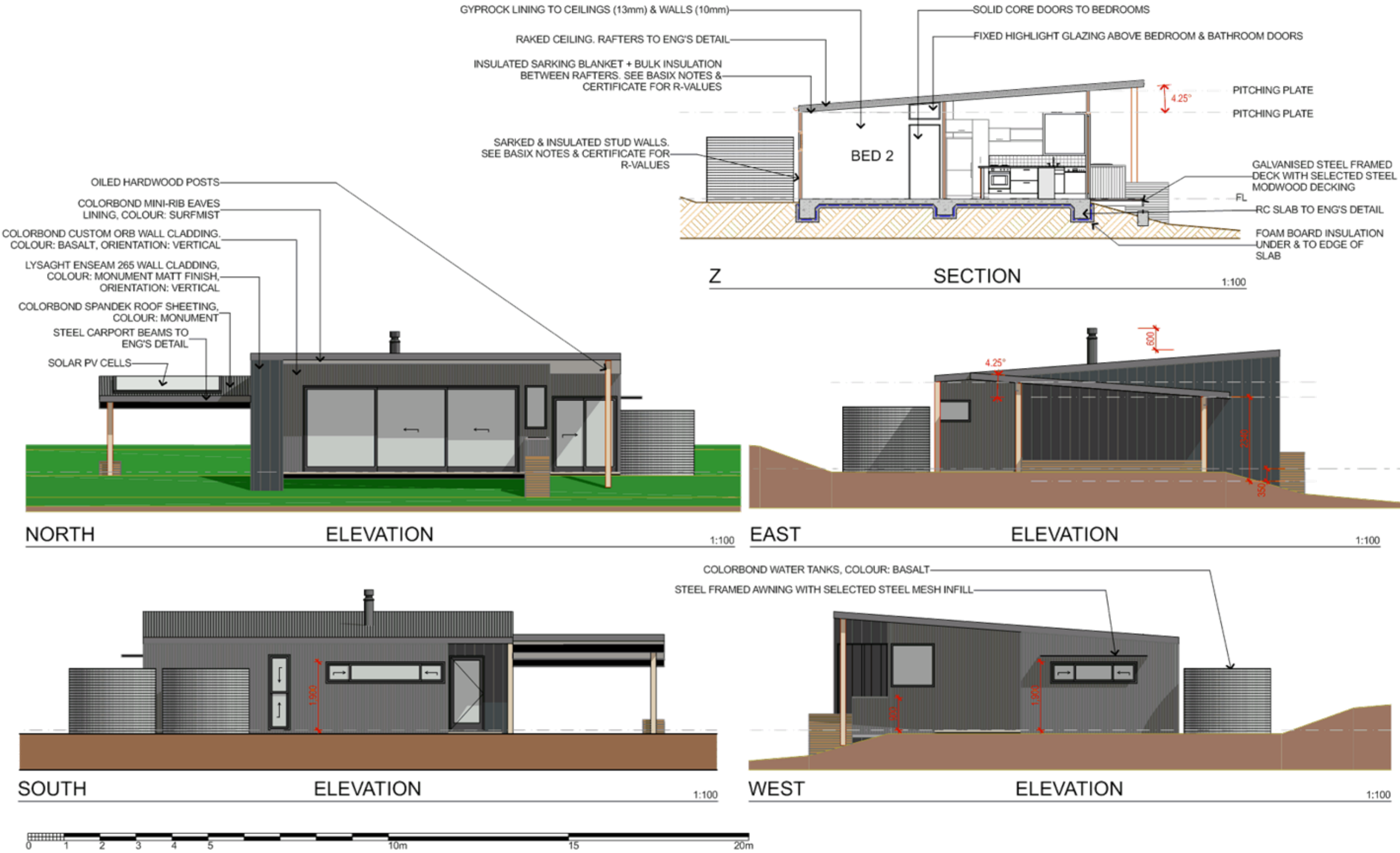
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PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. : <b>DA C1.3</b>	ISSUE : <b>D</b>





Proposed Eco Tourist Facility Cabins  
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**CABIN: MANAGER  
ELEVATIONS**

DATE :  
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PROJECT NAME :

**Niven Investments - Eco**

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**DA C1.4**

ISSUE :

**D**



CABIN: 2 BEDROOM

3D VIEW NW



CABIN: 2 BEDROOM

3D VIEW SE

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments

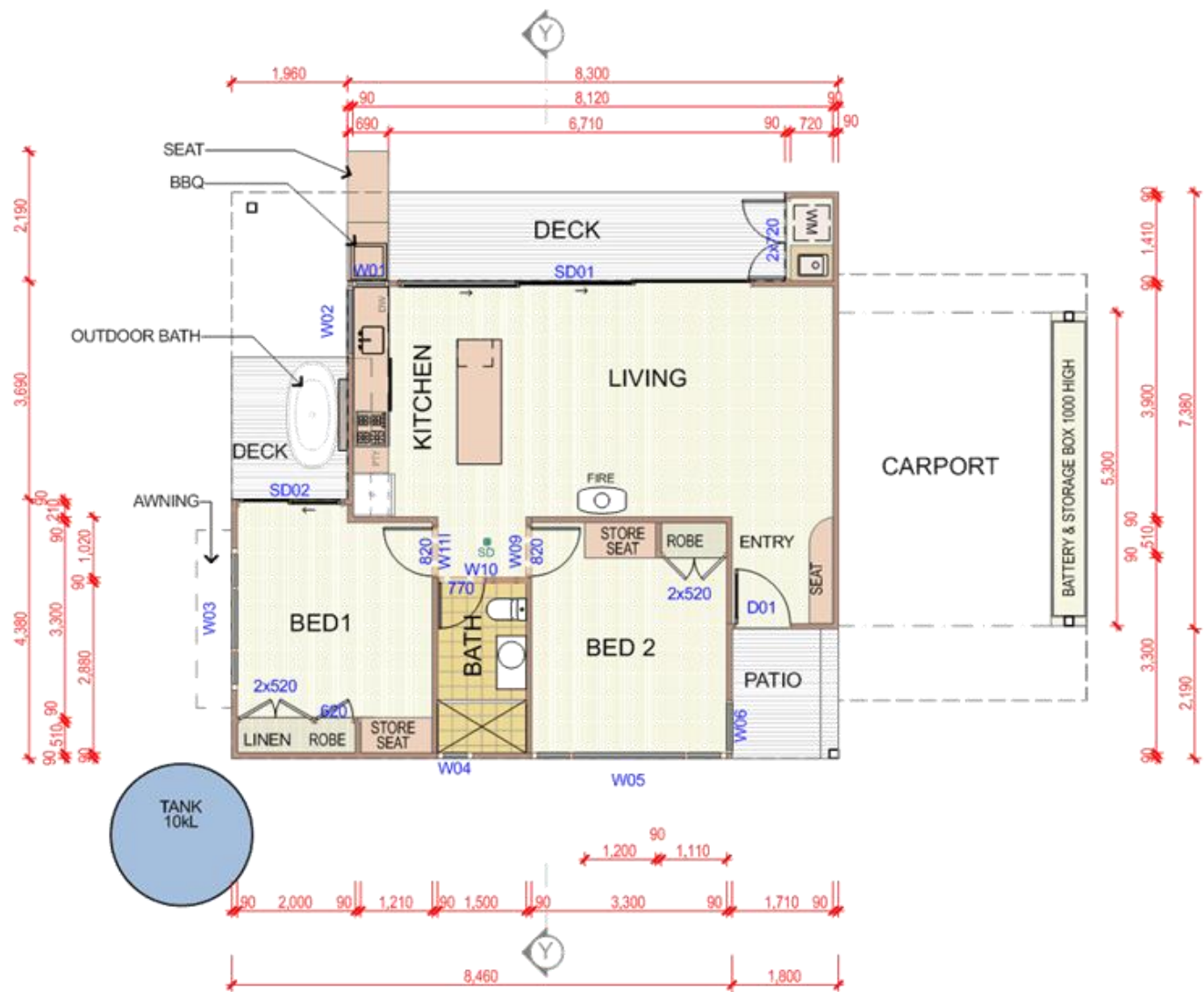


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Niven Investments - Eco	DA C2.1	D	



CABIN: 2 BEDROOM FLOOR PLAN

1:100



Proposed Eco Tourist Facility Cabins  
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**CABIN: 2 BED  
FLOOR PLAN**

DATE :

27/1/21

PROJECT NAME :

**Niven Investments - Eco**

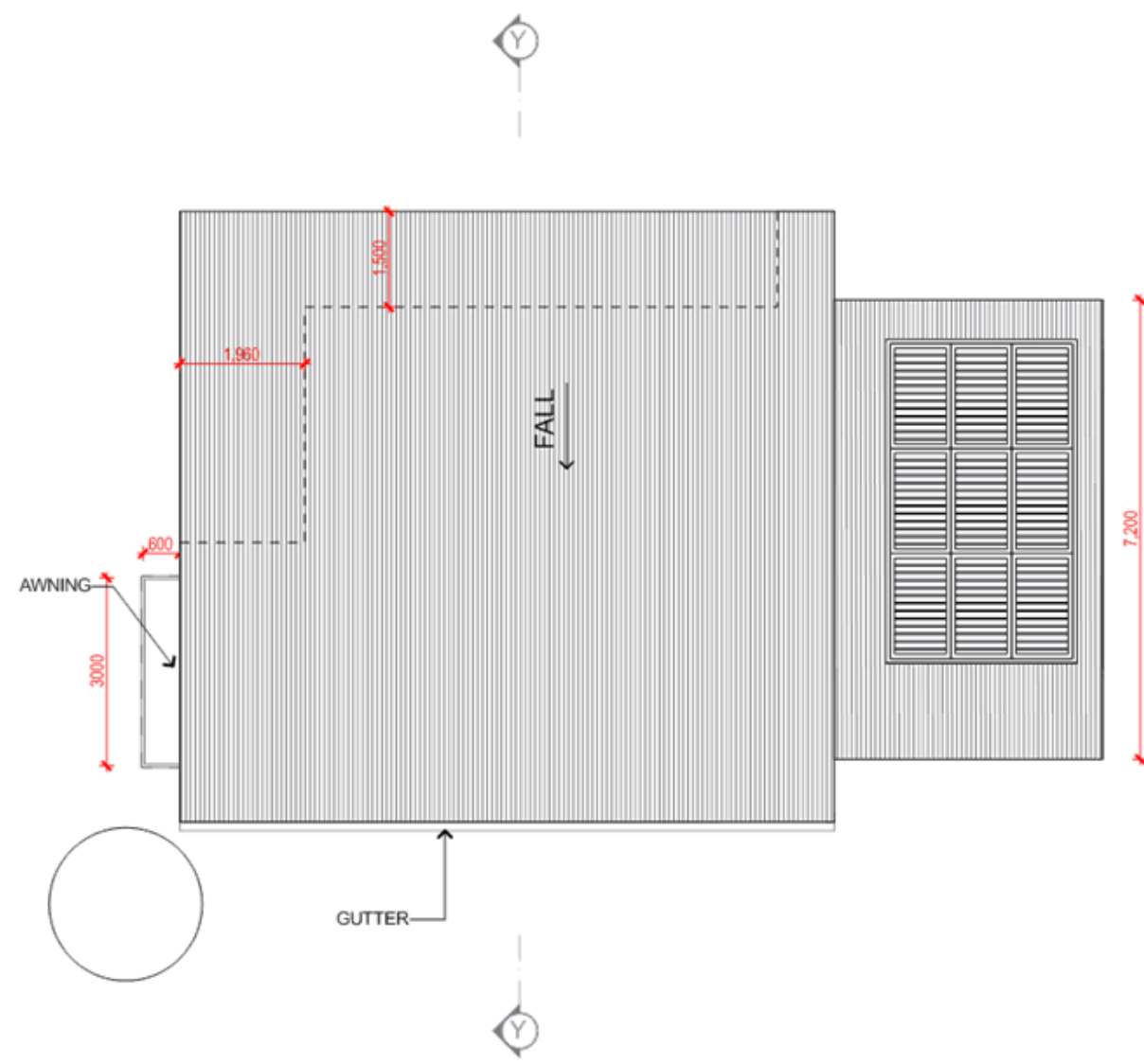
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**DA C2.2**

ISSUE :

**D**





CABIN: 2 BEDROOM      ROOF PLAN      1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
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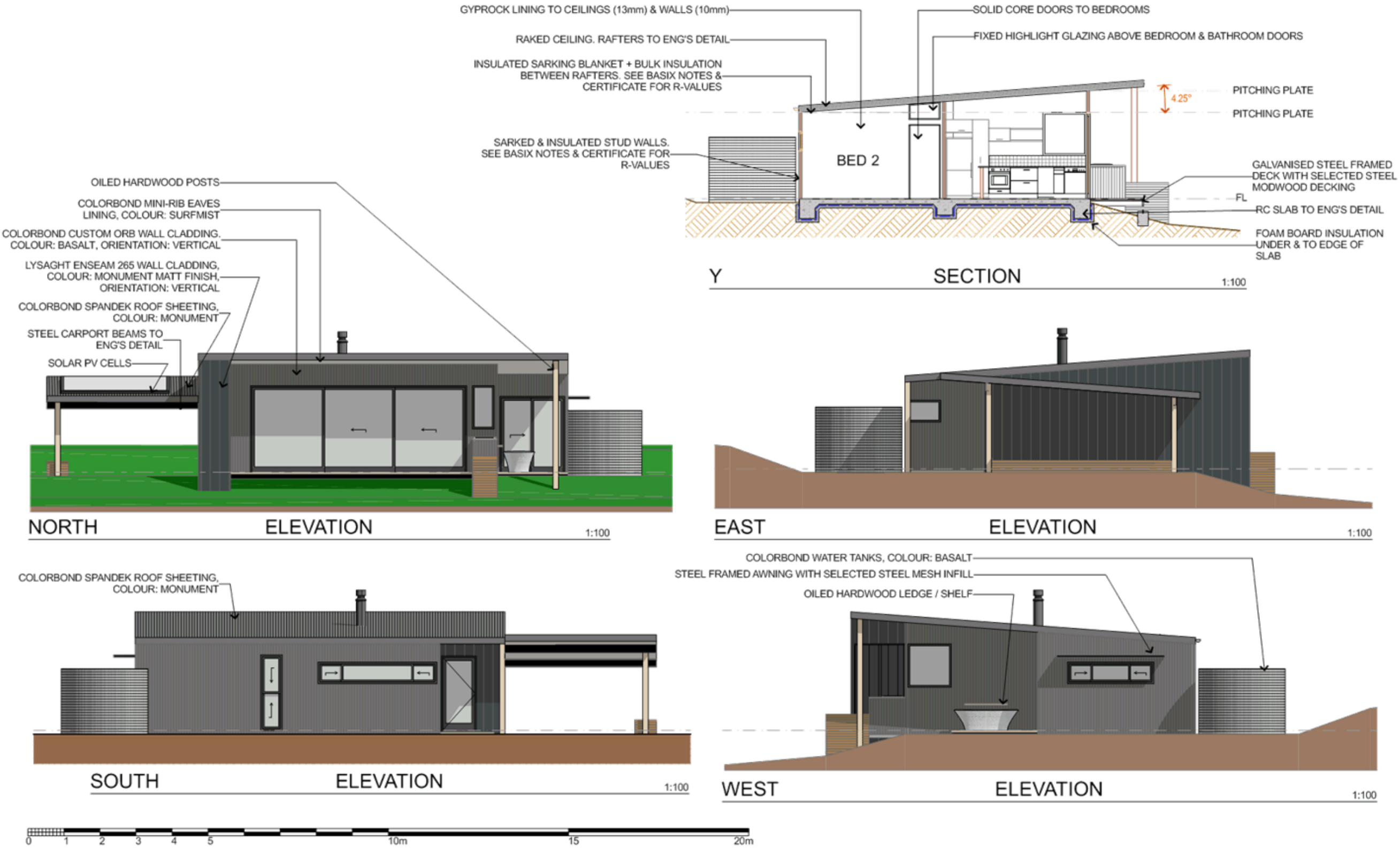
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PROJECT NAME :	DRAWING NO.	ISSUE :	
Niven Investments - Eco	DA C2.3	D	



Proposed Eco Tourist Facility Cabins  
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DRAWING TITLE :

**CABIN: 2 BED  
ELEVATIONS**

DATE :  
27/1/21

PROJECT NAME :

**Niven Investments - Eco**

DRAWING NO.

**DA C2.4**

ISSUE :

**D**





CABIN: 1 BEDROOM 3D VIEW SW



CABIN: 1 BEDROOM 3D VIEW NE

Proposed Eco Tourist Facility Cabins  
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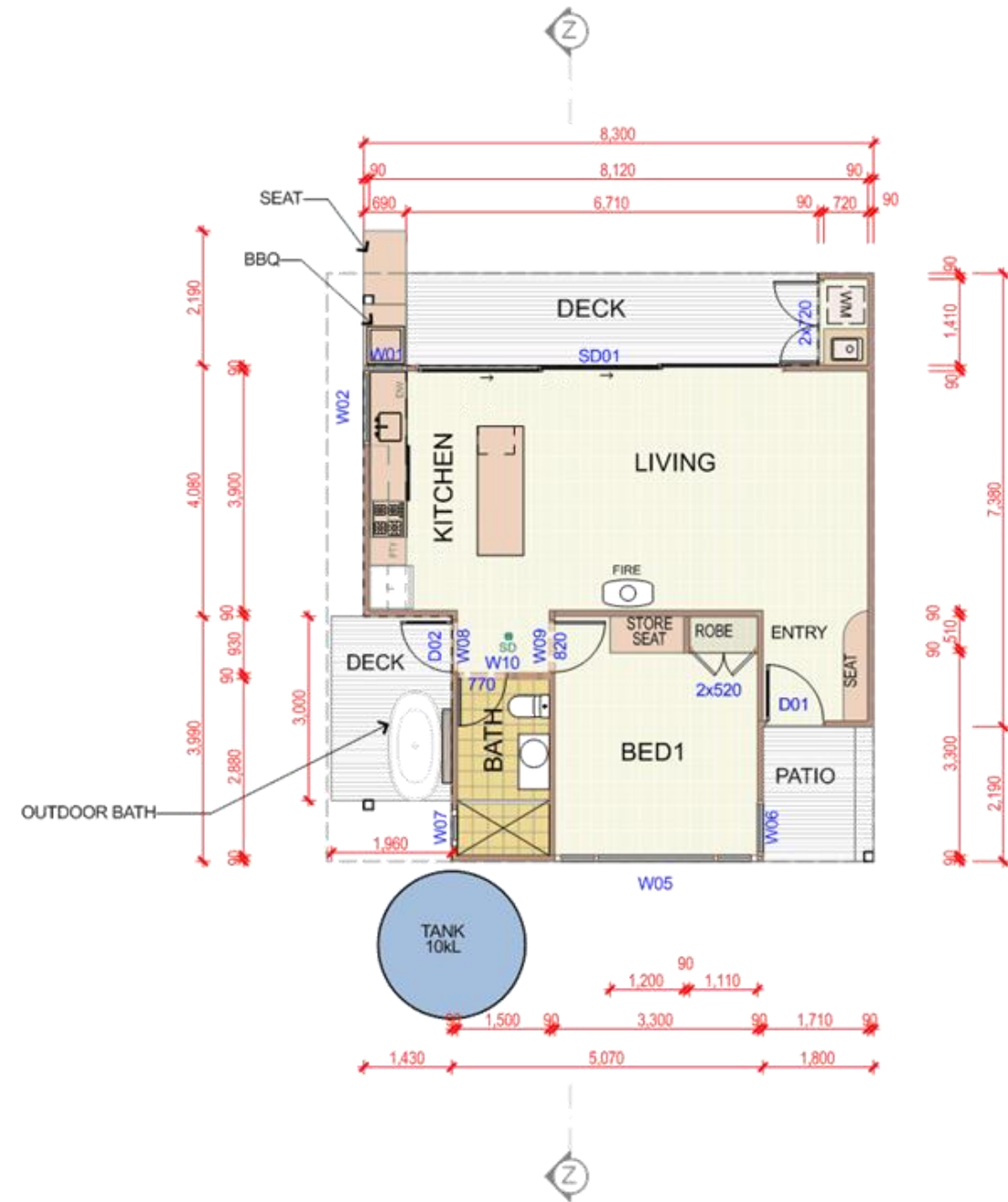


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PROJECT NAME :	DRAWING NO.:	ISSUE :	
Niven Investments - Eco	DA C3.1	D	



CABIN: 1 BEDROOM FLOOR PLAN

1:100

Proposed Eco Tourist Facility Cabins  
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DRAWING TITLE :

**CABIN: 1 BED  
FLOOR PLAN**

DATE :

27/1/21

PROJECT NAME :

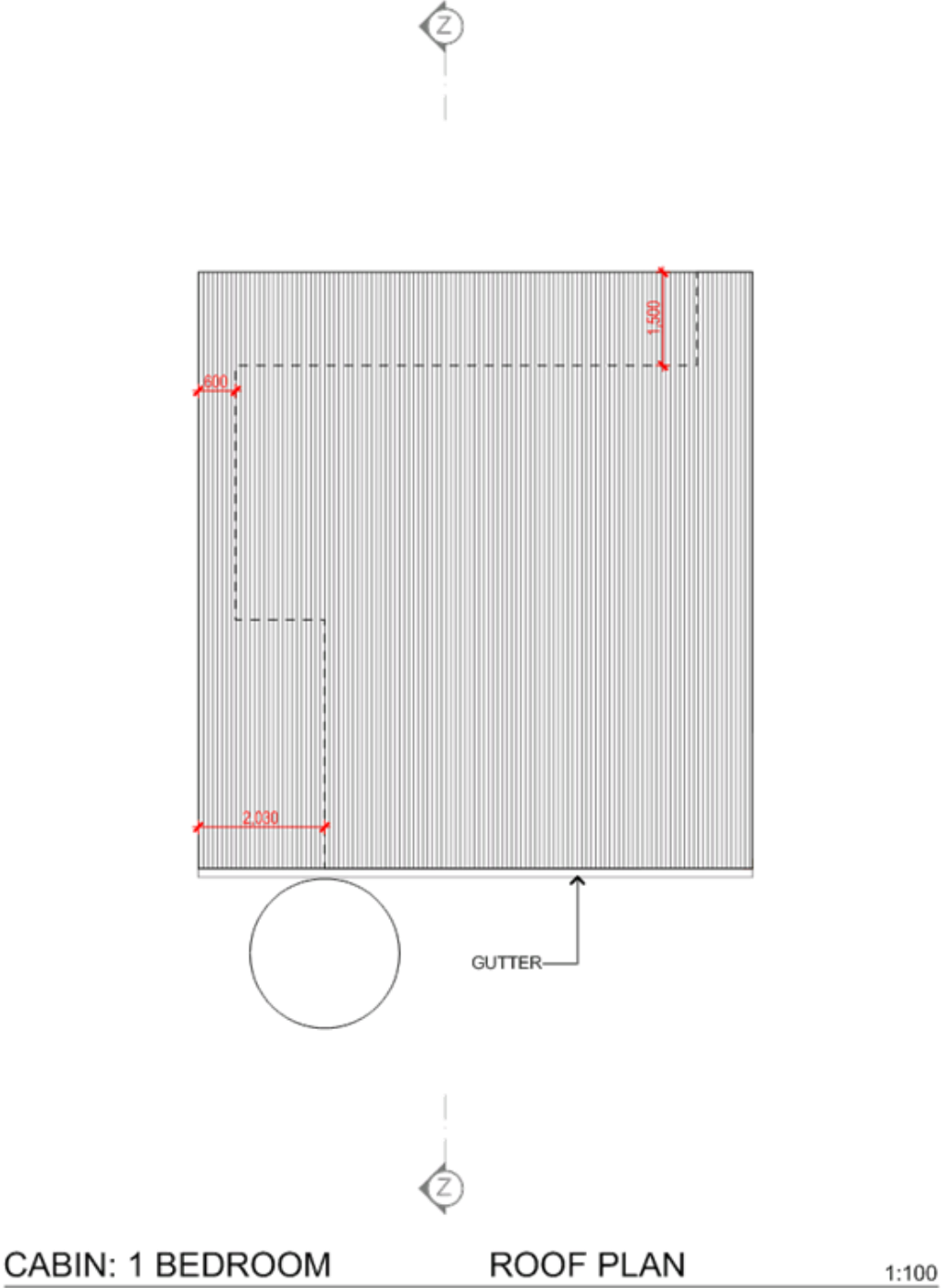
**Niven Investments - Eco**

DRAWING NO.

**DA C3.2**

ISSUE :

**D**



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



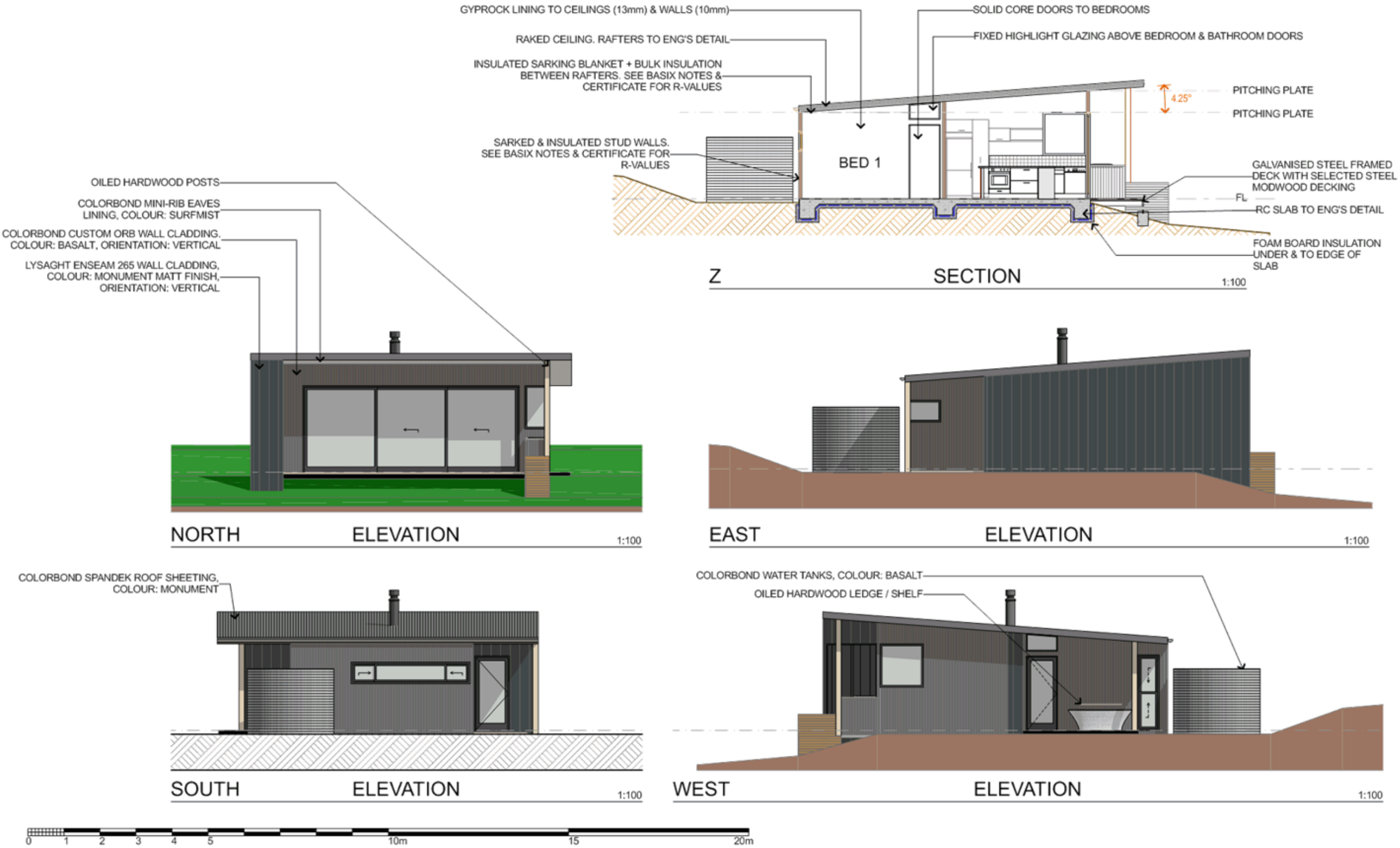
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DRAWING TITLE :		DATE :	
CABIN: 1 BED ROOF PLAN		27/1/21	
PROJECT NAME :	DRAWING NO.	ISSUE :	
Niven Investments - Eco	DA C3.3	D	



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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DRAWING TITLE :

**CABIN: 1 BED  
ELEVATIONS**

DATE :  
27/1/21

PROJECT NAME :

**Niven Investments - Eco**

DRAWING NO.

**DA C3.4**

ISSUE :

**D**



GENERAL NOTES & SPECIFICATION

**DRAWINGS & DOCUMENTS**  
THE DRAINGS & DOCUMENTS ARE TO BE READ IN CONJUNCTION WITH THE DEVELOPMENT CONSENT, CONSTRUCTION CERTIFICATE, S.64 APPROVAL & REPORTS BY CONSULTANTS AS LISTED ON THE FRONT SHEET OF THESE DRAWINGS  
WRITTEN DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALE  
ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE  
CONTOURS & BOUNDARY DIMENSIONS ARE IN METRES  
MEASUREMENTS TO BE CHECKED & VERIFIED BY BUILDER PRIOR TO COMMENCEMENT  
ALL DRAWINGS, DOCUMENTS, REPORTS & APPROVALS TO BE READ BY THE BUILDER PRIOR TO COMMENCEMENT. ANY DISCREPANCIES, ERRORS OR ITEMS REQUIRING CLARIFICATION TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR INSTRUCTION  
THE BUILDER IS ENCOURAGED TO DISCUSS ANY & ALL DESIGN & CONSTRUCTION ITEMS WITH THE DESIGNER BEFORE & DURING CONSTRUCTION, ESPECIALLY WHERE THE BUILDER OR OWNER INTEND TO MAKE CHANGES / VARIATIONS TO THE BUILDING WORKS AS DOCUMENTED

**SITE PREPERATION & MAINTENANCE**  
BEFORE COMMENCEMENT OF BUILDING WORK, THE BUILDER IS TO PROVIDE A SITE SHED, SITE FENCING, TOILET FACILITIES (IF NOT ALREADY PROVIDED IN EXISTING BUILDING), GARBAGE COLLECTION & STORAGE AREA, MATERIALS STORE AREA & SAFE SITE ACCESS  
PROVIDE GARBAGE & MATERIALS STORE FACILITIES TO SECURE GARBAGE & MATERIALS FROM BEING MOVED BY WIND  
SECURE SITE BY TEMPORARY FENCING OR OTHER MEASURES TO PREVENT UNAUTHORISED ENTRY ONTO THE SITE. TEMPORARY FENCING TO COMPLY WITH AS 4687-2007  
PUT IN PLACE PROTECTION MEASURES TO THE TREES THAT ARE NOTED ON THE PLANS AND / OR CONSENT DOCUMENTS TO BE PROTECTED

**EXCAVATION & SILTATION CONTROL MEASURES**  
ALL SILTATION CONTROL MEASURES TO BE IN PLACE PRIOR TO BREAKING GROUND  
STOCKPILE TOPSOIL FOR USE ON SITE TO COVER LANDSCAPED AREAS AT COMPLETION OF BUILDING WORKS  
EXCAVATION WORKS TO COMPLY WITH AS 3798-2007 & NCC 3.1.1  
SILT FILTERS TO BE CHECKED REGULARLY BY BUILDER. SEE DETAILS ON PLAN OF SILT FENCE

**TERMITE PROTECTION**  
PHYSICAL BARRIER STYLE TERMITE PROTECTION SYSTEM TO BE INSTALLED & COMPLY WITH AS3660.1 & NCC (VOL 2) 3.1.4  
A DURABLE NOTICE TO BE INSTALLED IN THE METER BOX (OR SIMILAR LOCATION) INDICATING THE TYPE OF SYSTEM, DATE OF INSTALLATION, CHEMICALS USED & THEIR LIFE EXPECTANCY, MANUFACTURERS RECOMMENDATIONS FOR SCOPE & TIMEFRAME OF INSPECTIONS

**FOOTINGS, SLABS & STRUCTURAL STEEL / TIMBER MEMBERS**  
ALL REINFORCED CONCRETE FOOTINGS & SLABS TO ENGINEERS DETAIL, OTHERWISE TO NCC (VOL 2) 3.2  
ALL ON GROUND FLOOR SLABS TO HAVE A TERMITE RESISTANT VAPOUR BARRIER UNDER THE SLAB, 0.2mm NOMINAL THICKNESS, MEDIUM IMPACT RESISTANCE, JOINTS OVERLAPPED 200mm & TAPED, SLEAVES TO BE CLOSE FITTING & TAPED. ALL TO AS 2870 & NCC NSW 3.2.2.6  
ALL STRUCTURAL STEEL / TIMBER MEMBERS TO ENGINEERS DETAIL, OTHERWISE TO NCC (VOL 2) 3.4  
ALL TIMBER SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS1684 OR WHERE APPLICABLE NCC (VOL 2) 3.4  
SIZES & ITEMS ON ENGINEERS DRAWINGS TAKE PRECEDENT

**MASONRY**  
ALL MASONRY TO BE DESIGNED & CONSTRUCTED IN ACCORDANCE WITH AS3700 AND / OR AS4773.1 / AS4773.2

**FRAMING**  
ALL TIMBER SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS1684 OR WHERE APPLICABLE NCC 3.4.3.  
ALL STEEL FRAME SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS 4100 OR WHERE APPLICABLE NCC 3.4.2  
SIZES ON ENGINEERS DRAWINGS TAKE PRECEDENT  
SUB-FLOOR VENTILATION TO BE EVENLY DISTRIBUTED AROUND THE PERIMETER OF THE BUILDING & SIZED IN COMPLIANCE WITH NCC 3.4.1.2

**ROOF & WALL CLADDING**  
ROOF & WALL CLADDING TO COMPLY WITH NCC 3.5.  
SEE ENGINEERS DETAILS FOR WIND CLASSIFICATION  
METAL SHEET ROOFING & WALL CLADDING TO BE INSTALLED TO AS 1562.1  
CLEAN ALL BURRS & OFFCUTS FROM INSTALLATION OFF THE ROOF UPON COMPLETION OF THE WORK DAY  
SARKING / INSULATION BLANKET TO HAVE INSULATION LEVEL AS PER BASIX CERTIFICATE & HAVE A FLAMMABILITY INDEX OF NOT MORE THAN 5. TAPE ALL SEAMS  
BREATHABLE SARKING TO WALLS ON OUTSIDE OF STUD FRAME, LOCATED BETWEEN STUDS & BATTENS (FOR WALL CLADDING)  
FLASHINGS & GAPS TO BE SEALED / PROTECTED IN ACCORDANCE WITH BUSHFIRE NOTES  
FLASHINGS, CONNECTIONS & FIXINGS TO METAL CLADDING TO BE OF SIMILAR CORROSION RESISTANCE & COMPATIBILITY, AS PER NCC 3.5.1

**GLAZING**  
ALL GLAZING TO COMPLY WITH NCC 3.6 & AS 2047  
SEE ENGINEERS DETAILS FOR WIND CLASSIFICATION  
BEDROOMS WITH FLOOR LEVEL MORE THAN 1m ABOVE ADJACENT SURFACE & WITH OPENING SECTION LESS THAN 1.7m ABOVE THE FLOOR TO HAVE OPENINGS GREATER THAN 125mm PROTECTED IN ACCORDANCE WITH NCC 3.9.2.6  
OTHER ROOMS WITH FLOOR LEVEL MORE THAN 4m ABOVE ADJACENT SURFACE & WITH OPENING SECTION LESS THAN 1.7m ABOVE THE FLOOR TO HAVE OPENINGS GREATER THAN 125mm PROTECTED IN ACCORDANCE WITH NCC 3.9.2.6

**GLASS & GLAZING**  
GLASS INSTALLATIONS MUST COMPLY WITH THE REQUIREMENTS OF AS1288 & BE OF ADEQUATE THICKNESS FOR THE TERRAIN CATEGORY & WIND LOADING APPLICABLE TO THE ALLOTMENT LOCATION. WIND CATEGORY AS PER ENGINEERS SPECIFICATION  
OPENINGS TO WINDOWS TO BE RESTRICTED TO 125 IN BEDROOMS WHERE FLOOR LEVEL IS AT LEAST 2000 ABOVE THE ADJACENT SURFACE, ALL IN ACCORDANCE WITH NCC (VOL 2) 3.9.2.6

**SMOKE ALARMS**  
SMOKE ALARMS MUST BE INSTALLED IN CLASS 1 BUILDINGS IN ACCORDANCE WITH PARTS 3.7.2.3 & 3.7.2.4 OF THE NCC VOL.2, AS3786 & MANUFACTURERS SPECIFICATION RECOMMENDATIONS. THE DETECTOR MUST BE CONNECTED TO CONSUMER MAINS POWER WHERE CONSUMER MAINS POWER IS SUPPLIED TO THE BUILDING. THE DETECTOR MUST BE INSTALLED ON OR NEAR THE CEILING & LOCATED BETWEEN EACH PART OF THE DWELLING CONTAINING BEDROOMS & THE REMAINDER OF THE DWELLING

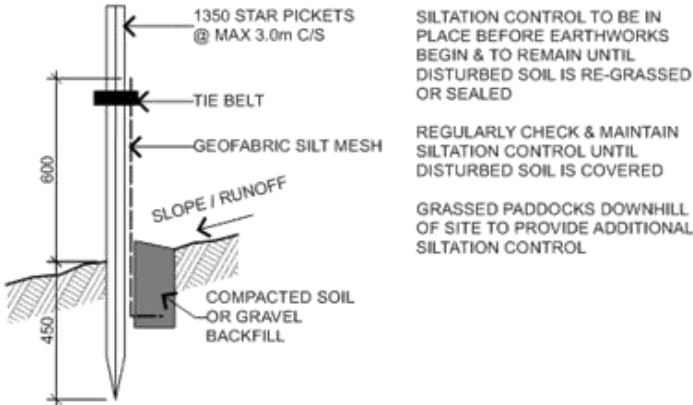
**WET AREAS**  
BATHROOMS, TOILETS, LAUNDRIES & OTHER WET AREAS TO BE WATERPROOF OR WATER RESISTANT AS PER NCC 3.8.1 & AS 3740

**CONDENSATION**  
VAPOUR BARRIER TO WALLS, SEE "WALL & ROOF CLADDING"  
EXHAUST FANS TO HAVE A MINIMUM FLOW RATE OF 25L/S FOR BATHROOMS, 40L/S ELSEWHERE  
DO NOT VENT EXHAUST FANS TO ROOF SPACE

**STAIRS**  
STAIRS TO NCC 3.9.1 IN LOCATION & CONFIGURATION AS SHOWN ON THE DRAWINGS  
OPEN TREAD STAIRS TO HAVE NO GAPS GREATER THAN 125mm  
ALL BALUSTRADES WHERE THERE IS A CHANGE IN LEVEL OF AT LEAST 1000, TO BE A MINIMUM OF 1000 HIGH WITH MAXIMUM GAPS OF 125 & COMPLY WITH NCC3.9.2. WIRE BALUSTRADES TO HAVE SPACINGS & TENSIONS AS PER NCC 3.9.2.5

**ROOF SAFETY**  
ALL ROOFS OVER 15 DEGREES PITCH TO HAVE PERMANENT SAFETY HARNESS ATTACHMENT POINTS AT OR NEAR THE RIDGE FIXED SECURELY TO ROOF FRAMING

SILT FENCE DETAIL & NOTES



SILTATION CONTROL TO BE IN PLACE BEFORE EARTHWORKS BEGIN & TO REMAIN UNTIL DISTURBED SOIL IS RE-GRASSED OR SEALED  
REGULARLY CHECK & MAINTAIN SILTATION CONTROL UNTIL DISTURBED SOIL IS COVERED  
GRASSED PADDOCKS DOWNHILL OF SITE TO PROVIDE ADDITIONAL SILTATION CONTROL

PC ITEMS

LIST OF PC ITEMS TO BE PROVIDED ON CONSTRUCTION DOCUMENTS

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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DRAWING TITLE :  
SPECIFICATION & NOTES  
NOTES & SPEC: GENERAL

DATE :  
27/1/21

PROJECT NAME :  
Niven Investments - Eco

DRAWING NO. :  
DA N1

ISSUE :  
D

## BASIX NOTES

## CABINS

## CERTIFICATE No.

BUILDING MUST COMPLY WITH BASIX CERTIFICATE No. 1171655M

&amp; NatHERS CERTIFICATES:

- GYGVG89L1B (GROUP)
- QMYVAES4WN (CABIN A)
- TK9A9LX0KB (CABIN B)
- GA6CLGMB6D (CABIN C)
- VOQMC7U0NE (CABIN D)
- PFPQGMKKH (MANAGERS CABIN)

## COMMON AREAS &amp; FACILITIES

- THERE ARE NO COMMON OR SHARED FACILITIES IN THIS DEVELOPMENT

## FIXTURES

- 3 STAR RATED SHOWER HEADS (>7.5, <=9.5L/min)
- 4 STAR RATED DUAL FLUSH TOILETS
- 3 STAR RATED TAPS

## ALTERNATIVE WATER

- RAINWATER TANKS INSTALLED TO COUNCIL REGULATIONS, SEE PLANS FOR TANK SIZES & LOCATIONS
- COLLECT FROM AT LEAST 80m<sup>2</sup> OF ROOF PER CABIN
- RAINWATER TANK CONNECTED TO:
  - # ALL TOILETS
  - # ALL INDOOR & OUTDOOR TAPS
  - # ALL HOT WATER SYSTEMS

## FLOOR

- CONCRETE SLAB ON GROUND
- RIGID R1.0 INSULATION UNDER SLAB & TO SLAB EDGES

## WALLS

- STUD FRAME WITH CLADDING
- SARKING & BULK INSULATION BATTS R2.5 (minimum)
- RECOMMENDED: ADDITIONAL 40mm RIGID BOARD INSULATION BETWEEN CLADDING BATTENS, ALL EXTERNAL TO SARKING

## ROOF

- FIRE RETARDENT FOIL BACKED R1.3 ROOF BLANKET SARKING PLUS R4.0 BULK INSULATION ABOVE (RAKED) CEILING
- RECOMMENDED: FIRE RETARDENT FOIL BACKED R2.3 ROOF BLANKET SARKING PLUS R4.0 BULK INSULATION ABOVE (RAKED) CEILING

## WINDOWS &amp; GLAZED DOORS

- ALL DOUBLE GLAZED; AIR FILLED
- EXTERNAL SLIDING WINDOWS AND DOORS: U-Value: ≤3.65 SHGC: 0.63±10%
- EXTERNAL FIXED WINDOWS: U-Value: ≤3.12 SHGC: 0.63±10%
- EXTERNAL CASEMENT WINDOWS: U-Value: ≤3.68 SHGC: 0.51±10%
- SHADING AS SHOWN ON ELEVATIONS
- RECOMMENDED: THERMALLY BROKEN WINDOW FRAMES

## HOT WATER SERVICE

- ELECTRIC STORAGE UNITS TO EACH CABIN

## BUILDING ENVELOPE SEALING

- ALL EXHAUST FANS SEALED TO OUTSIDE AIR
- ALL EXTERNAL DOORS TO BE SEALED IN ACCORDANCE WITH NCC 3.12.3.3:
  - o BOTTOM EDGE OF DOORS TO HAVE DRAFT EXCLUDER
  - o OTHER EDGES OF DOORS & ALL EDGES OF WINDOWS TO HAVE FOAM, COMPRESSIBLE RUBBER OR FIBROUS SEAL
- NO RECESSED DOWNLIGHTS
- ALL GAPS AROUND WALLS / DOORS & FRAME TO BE SEALED WITH INSULATION PRIOR TO INTERNAL WALL LININGS

## COOLING

- CEILING FANS TO ALL BEDROOMS & LIVING AREAS

## HEATING

- WOOD FIRE TO LIVING AREAS
- NO HEATING TO BEDROOMS

## VENTILATION

- ALL KITCHENS & BATHROOMS TO HAVE MANUAL SWITCHED EXHAUST FAN DUCTED TO FACADE OR ROOF
- ALL EXHAUST FANS SEALED TO OUTSIDE AIR, WITH AUTOMATIC CLOSING FLAPS
- LAUNDRIES TO HAVE NATURAL VENTILATION GRILLES

## LIGHTING

- LED OR COMPACT FLUORESCENT THROUGHOUT.

## ALTERNATIVE ENERGY

- 3.3Kw PV SOLAR SYSTEM TO EACH CABIN

## OTHER

- PERMANENT OUTDOOR CLOTHES LINE, UNDERCOVER OF DECK TO EACH CABIN
- RECOMMENDED:
  - o WASHING MACHINES: 5 STAR WATER & ENERGY RATED FRONT LOAD
  - o CLOTHES DRYERS: 7 STAR ENERGY RATED
  - o FRIDGE / FREEZERS: 4 STAR ENERGY RATED
  - o DISHWASHERS: 6 STAR WATER, 4 STAR ENERGY RATED

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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**SPECIFICATION & NOTES  
NOTES & SPEC: BASIX**

DATE :

27/1/21

PROJECT NAME :

DRAWING NO.:

ISSUE :

**Niven Investments - Eco**

**DA N2**

**D**



## BUSHFIRE NOTES - BAL 12.5

SITE IS IDENTIFIED AS BUSHFIRE PRONE.  
SEE BUSHFIRE ASSESMENT REPORT BY DABYNE PLANNING PTY, FOLLOW RECOMMENDATIONS & MAINTAIN AZP's AS PER THE REPORT.  
CONSTRUCTION TO BE BAL 12.5 & COMPLY WITH AS 3959-2018

FLOORS & SUB FLOORS	ALL FLOORS TO BE CONCRETE SLAB ON GROUND.
WALLS: GENERAL	WALLS MORE THAN 400mm ABOVE THE GROUND OR OTHER SURFACE <18" ABOVE HORIZONTAL ARE NOT REQUIRED TO BE BUSHFIRE RESISTANT OTHER WALLS TO BE: - NON-COMBUSTIBLE - BUSHFIRE RESISTANT TIMBER - FIBRE CEMENT CLADDING MINIMUM 6mm THICK - TIMBER SPECIES AS SPECIFIED IN PARAGRAPH E1 APPENDIX E OF AS 3959 NO JOINTS GREATER THAN 3mm. VENTS & WEEPHIOLES TO HAVE METAL (CORROSION RESISTANT STEEL, ALUMINIUM OR BRONZE) MESH max. 2mm APPERTURE.
WALLS: SUB-FLOOR	AS PER WALLS (GENERAL)
SHUTTERS	IF USED, SHUTTERS TO BE: - NON-COMBUSTIBLE - BUSHFIRE RESISTANT TIMBER - TIMBER SPECIES AS SPECIFIED IN PARAGRAPH E1 APPENDIX E OF AS 3959
SCREENS (DOOR / WINDOW)	FRAMES TO BE: - METAL - BUSHFIRE RESISTANT TIMBER - TIMBER SPECIES AS SPECIFIED IN PARAGRAPH E1 APPENDIX E OF AS 3959 SCREEN TO BE CORROSION RESISTANT STEEL OR BRONZE WITH MAXIMUM APPERTURE OF 2mm ALL SCREENS TO BE TIGHT FITTING WITH max GAP 2mm
WINDOWS	WINDOWS DO NOT NEED TO COMPLY WITH THE ITEMS BELOW IF FULLY PROTECTED BY BUSHFIRE SHUTTERS OR SCREENS. WINDOWS LESS THAN 400mm ABOVE THE GROUND OR OTHER SURFACE <18" ABOVE HORIZONTAL AS FOLLOWS. WINDOW FRAMES, HARDWARE & TRIMS TO BE: - METAL (ALUMINIUM OR STEEL) - BUSHFIRE RESISTANT TIMBER - TIMBER SPECIES AS SPECIFIED IN PARAGRAPH E1 APPENDIX E OF AS 3959 GLAZING TO BE GRADE A SAFETY GLASS (min 6mm). DOUBLE GLAZED UNITS TO HAVE AT LEAST THE EXTERNAL FACE (LEAF) AS ABOVE OPENABLE PARTIONS OF THE WINDOWS, DOORS & SLIDING DOORS SHALL BE SCREENED. WINDOWS, DOORS & SLIDING DOORS MORE THAN 400mm ABOVE GROUND OR OTHER SURFACE MAY HAVE ANNEALED GLASS
DOORS: SIDE HUNG	WINDOWS DO NOT NEED TO COMPLY WITH THE ITEMS BELOW IF FULLY PROTECTED BY BUSHFIRE SHUTTERS OR SCREENS DOORS TO BE NON-COMBUSTIBLE OTHER DOORS AS FOLLOWS. DOORS TO BE: - SOLID CORE DOOR AT LEAST 35mm THICK - FULLY METAL FRAMED GLAZED DOORS - GLAZED TIMBER DOORS min 35mm THICK WITH GLAZING AS PER WINDOWS DOORS TO BE TIGHT FITTING WITH WEATHER STRIPS OR DRAUGHT SEALS TO THE BASE
GLAZED SLIDING DOORS	DOOR FRAME & HARDWARE SHALL BE POWDER COATED ALUMINIUM GLAZING TO BE GRADE A SAFETY GLASS TO AS 1288 DOUBLE GLAZED UNITS TO HAVE AT LEAST THE EXTERNAL FACE GARDE A SAFETY GLASS TO AS 1288. SCREENS NOT REQUIRED, HOWEVER IF USED SHALL COMPLY TO SPECIFICATION FOR SCREENS. DOORS TO BE TIGHT FITTING IN THE FRAMES
GARAGE DOORS	GARAGE DOORS TO BE COLORBOND STEEL DOORS TO BE PROTECTED WITH SUITABLE WEATHER STRIPS, SEALS OR BRUSHES, ROLLER DOORS TO HAVE GUIDE TRACKS, NO GAPS GREATER THAN 3mm & FITTED WITH NYLON BRUSHES CONTACTING THE DOOR

ROOFS	ROOF SHEETING TO BE COLORBOND SHEET STEEL ROOF SHALL BE FULLY SARKED & ANY GAPS GREATER THAN 3mm UNDER THE CORRUGATIONS / RIBS SEALED AT THE FASCIA OR WALL WITH MESH OR MINERAL WOOL. MESH TO BE CORROSION RESISTANT STEEL, ALUMINIUM OR BRONZE, MAXIMUM APPERTURE 2mm FOIL BACKED INSULATION BLANKET MAY BE INSTALLED OVER THE BATTENS ROOF PENETRATIONS TO BE SEALED WITH NO GAPS GREATER THAN 2mm PIPES PENETRATING THE ROOF SHALL BE NON-COMBUSTIBLE EAVES LININGS TO BE FC SHEET, min. 4.5mm THICK. NO GAPS GREATER THAN 3mm SKYLIGHTS TO HAVE GRADE A SAFETY GLASS TO AS 1288
GUTTERS & DOWNPIPES	ALL GUTTERS TO BE COLORBOND STEEL GUTTER & VALLEY GUARDS OPTIONAL, BUT IF INSTALLED TO BE NON-COMBUSTIBLE
UNENCLOSED DECKS & STAIRS	POSTS, BEARERS, JOISTS, STAIRS & LANDINGS TO BE: - NON-COMBUSTIBLE MATERIAL - BUSHFIRE RESISTANT TIMBER DECKING NOT TO BE SPACED OR 10mm SPACING BALUSTRADES TO FINISH 125mm FROM WALLS IF COMBUSTIBLE ANY PART OF A BALUSTRADE WITHIN 125mm OF A WALL TO BE NON-COMBUSTIBLE
WATER & GAS LINES	ABOVE GROUND WATER & GAS PIPES SHALL BE METAL.
WATER TANK(S)	10KL ABOVE GROUND COLORBOND STEEL WATER TANK FITTED WITH STORZ FITTING (SIZE AS PER REQUIRED IN DA CONDITIONS)
OTHER	REFER TO AS 3959-2018 FOR ANY ITEMS NOT COVERED ABOVE. CONTACT D LAW FOR CLARIFICATION OF ANY ITEMS ABOVE IF YOU HAVE ANY QUERIES OR QUESTIONS.

Proposed Eco Tourist Facility Cabins  
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NOTES & SPEC: BUSHFIRE**

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PROJECT NAME :



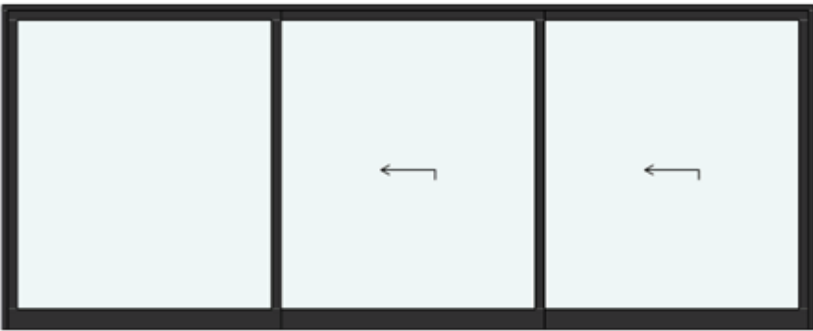
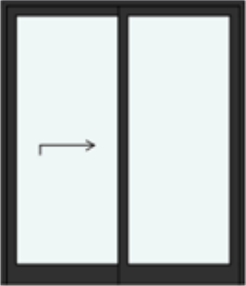


DRAWING NO.

ISSUE :

**Niven Investments - Eco**

**DA N3**



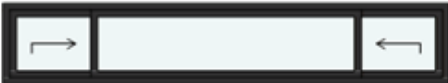



**D**

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	ELEVATION (OPENING SIDE)	NOTES
D01	3	2,040	920	GLAZED ENTRY DOOR		THERMAL BREAK ALUMINIUM FRAMES
D02	1	2,040	820	GLAZED ENTRY DOOR		THERMAL BREAK ALUMINIUM FRAMES
SD01	3	2,400	6,000	STACKER SLIDING DOOR		THERMAL BREAK ALUMINIUM FRAMES
SD02	2	2,100	1,800	SLIDING DOOR		THERMAL BREAK ALUMINIUM FRAMES
W01	3	1,200	600	FIXED		THERMAL BREAK ALUMINIUM FRAMES
W02	3	1,200	1,200	FIXED		THERMAL BREAK ALUMINIUM FRAMES

 <b>DAVID LAW</b>	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DRAWING TITLE : <b>SPECIFICATION &amp; NOTES</b> <b>WINDOW SCHEDULE</b>		DATE : 27/1/21
	Proposed Eco Tourist Facility Cabins Lot 402 DP 841251 Westons Rd, Crackenback For Niven Investments	DATUM: ASSUMED SHEET SIZE: A3	PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. <b>DA N4</b>




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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	ELEVATION (OPENING SIDE)	NOTES
W03	2	600	2,400	SLIDING		THERMAL BREAK ALUMINIUM FRAMES
W04	2	2,100	600	DOUBLE HUNG		THERMAL BREAK ALUMINIUM FRAMES
W05	3	600	3,300	SLIDING		THERMAL BREAK ALUMINIUM FRAMES
W06	3	600	900	FIXED		THERMAL BREAK ALUMINIUM FRAMES
W07	1	2,100	600	DOUBLE HUNG		THERMAL BREAK ALUMINIUM FRAMES
W08	1	489	866	EXTERNAL/INTERNAL FIXED HIGHLIGHT		THERMAL BREAK ALUMINIUM FRAMES. CHECK DIMENSIONS ON SITE PRIOR TO ORDERING.

 <b>DAVID LAW</b>	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DRAWING TITLE : <b>SPECIFICATION &amp; NOTES</b> <b>WINDOW SCHEDULE</b>		DATE : 27/1/21
	Proposed Eco Tourist Facility Cabins Lot 402 DP 841251 Westons Rd, Crackenback For Niven Investments	DATUM: ASSUMED SHEET SIZE: A3	PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. <b>DA N4</b>

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	ELEVATION (OPENING SIDE)	NOTES
W09	3	489	866	INTERNAL FIXED HIGHLIGHT		TIMBER FRAME (HIGHLIGHT ABOVE INTERNAL DOOR). CHECK DIMENSIONS ON SITE PRIOR TO ORDERING.
W10	3	425	1,500	INTERNAL FIXED HIGHLIGHT		TIMBER FRAME (HIGHLIGHT ABOVE INTERNAL DOOR). CHECK DIMENSIONS ON SITE PRIOR TO ORDERING.
W11I	2	489	866	INTERNAL FIXED HIGHLIGHT		TIMBER FRAME (HIGHLIGHT ABOVE INTERNAL DOOR). CHECK DIMENSIONS ON SITE PRIOR TO ORDERING.



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Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments

DATUM:  
ASSUMED  
SHEET SIZE: A3

DRAWING TITLE :  
SPECIFICATION & NOTES  
WINDOW SCHEDULE

PROJECT NAME :  
Niven Investments - Eco

DRAWING NO.  
DA N4

DATE :  
27/1/21

ISSUE :  
D

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Received  
SNOWY MONARO REGIONAL COUNCIL  
29/1/2021.



## STATEMENT OF ENVIRONMENTAL EFFECTS

**ECO-TOURIST FACILITY  
FOUR (4) CABINS + MANAGERS RESIDENCE  
WESTONS ROAD, CRACKENBACK  
LOT 402 DP 841251**



**JANUARY 2021**

**Project: 51-20**

**Dabyne Planning Pty Ltd**

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## STATEMENT OF ENVIRONMENTAL EFFECTS

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ECO-TOURIST FACILITY  
FOUR (4) CABINS + MANAGERS RESIDENCE  
WESTONS ROAD, CRACKENBACK  
LOT 402 DP 841251

This report has been prepared by:



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Ivan Pasalich  
**Principal**  
Dabyne Planning Pty Ltd

**JANUARY 2021**

**Project: 51-20**

**Dabyne Planning Pty Ltd**

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## 1. INTRODUCTION

### 1.1 Executive Summary

Dabyne Planning Pty Ltd has been engaged to prepare a Statement of Environmental Effects to accompany a Development Application (DA) to Snowy Monaro Regional Council.

The proposed development is located at Westons Road, Crackenback and the subject site is legally described as Lot 402 DP 841251, which forms part of a larger property.

The DA is for an Eco-tourist facility providing on-site tourist accommodation comprising of four (4) separate cabins comprising of three (3) x 2-bedroom cabins and one (1) x 1-bedroom cabin, to accommodate a maximum of fifteen (15) guests. The proposal also includes a two (2) bedroom managers residence to provide for on-site management of the facility.

The proposed eco-tourist cabins will be serviced with water collected from their respective roofs connected to their own water tank and larger storage tank, plus an additional storage tank for firefighting.

Electricity generation will be derived from a combination of either ground/roof mounted solar photovoltaic panels system with batteries.

To allow for the Applicant to fulfil their vision for the project to be founded on sustainability principles, the projects development and operation has been designed to promote long-term economic, social and environmental sustainability.

This process has been underpinned by undertaking a site analysis process to ensure that the proposed development components are sensitively designed and appropriately respond to the site with the use of modern alpine architecture including single storey skillion roof forms, with views to the north-east towards Lake Jindabyne.

This will allow for the Applicant to achieve Eco-Tourism level accreditation in accordance with relevant ISO 14000 standards relating to management and quality control.

A detailed description of the proposal is provided in Section 3 of the report.

### 1.2 Background

In January 2019, development consent for a dual occupancy dwelling comprising of two detached three (3) bedroom dwellings as well as a subdivision (4 lots into 2 lots) was granted (DA 4023/2019).

Dwelling #1 was approved above Westons Road with a new driveway off the existing road and dwelling #2 was approved below Westons Road with a new driveway off the existing road.

The proposal also included a subdivision, which would result in the four (4) current lots; Lot 1 DP 1060997; Lot 402 DP 841251; Lot 2 DP 548207 & Lot 69 DP 756686 being amended into two (2) lots; Proposed Lot 1 at 103ha incorporating the detached dual occupancy and Proposed Lot 2 at 40ha, being a vacant lot.

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An extract of the approved site plan is provided below.

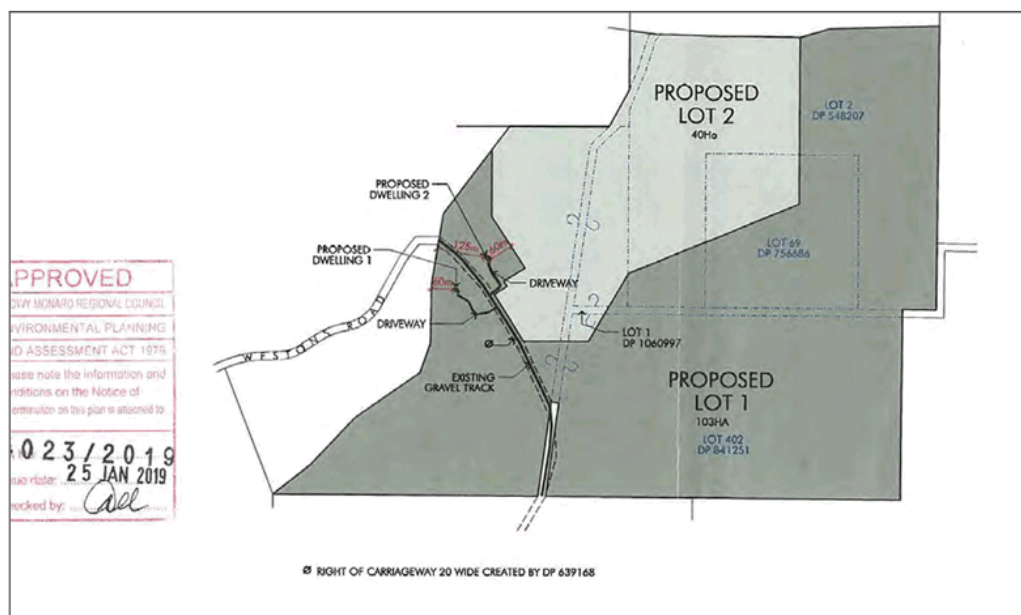


Figure 1: Approved Site Plan under DA 4023/2019

In December 2020, a S.4.55 Modification Application was lodged (MOD # 10.2019.3004023.2) in relation to amending the approved location of dwelling #2 as well as a minor change to the boundary location between proposed lots 1 & 2.

The proposed modifications will result in the approved dwelling #2 being located above Westons Road, on the same side as approved dwelling #1, approximately 42m to its south.



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*Figure 2: Proposed modified Dwelling #2 site (orange rectangle)*

The proposed boundary changes will result in a minor change in the shape of each allotment but retain the same size for each allotment.

The relocation of the approved dwelling and minor boundary change will allow for the subject eco-tourist facility development to proceed within the amended proposed Lot 2.

### 1.3 Purpose of the Report

The purpose of this SEE is to:

- describe the land to which the DA relates;
- describe the form of the proposed works;
- define the statutory planning framework within which the DA is to be assessed and determined; and
- assess the proposed development against the matters for consideration listed under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 [EP&A Act, 1979].

In accordance with Schedule 1 of the Environmental Planning and Assessment Regulations 2000, a statement of environmental effects must indicate the following matters:

- the environmental impacts of the development,
- how the environmental impacts of the development have been identified,
- the steps to be taken to protect the environment or to lessen the expected harm to the environment,
- any matters required to be indicated by any guidelines issued by the Director-General for the purposes of this clause.

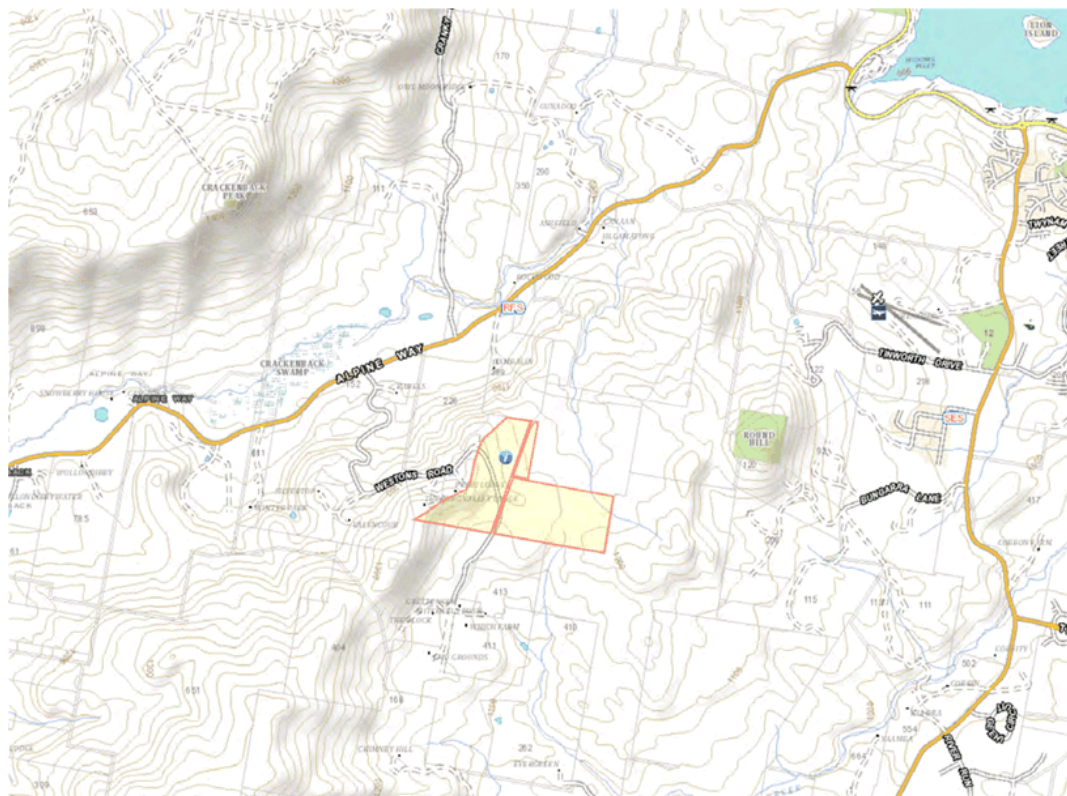
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## 2. THE LOCALITY AND SITE

### 2.1 The Locality

The subject site is located approximately 6km south-west of the Jindabyne township, 2.5km along Westons Road, within the Crackenback locality.

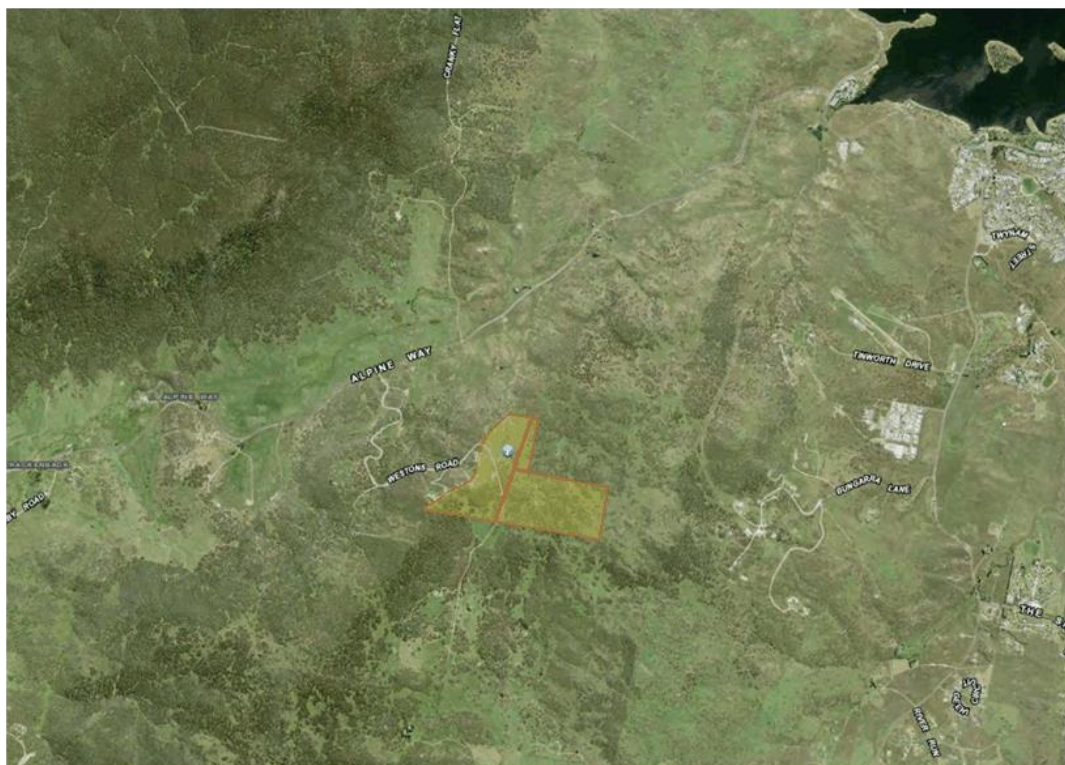
The subject site is illustrated in context with the locality in figures 2 & 3 below.



*Figure 3: Context of the subject site in the locality (topographical)*



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*Figure 4: Context of the subject site in the locality (aerial)*

## 2.2 The Site

The subject property currently includes four lots, comprising of Lot 1 DP 1060997, Lot 402 DP 841251, Lot 2 DP 548207 & Lot 69 DP 756686.

The lots are located on Westons Road and have a combined area of 143.3 hectares.

The subject site, where the proposed development is located is within Lot 402 DP 841251, which will be changed as part of the approved subdivision under DA 4023/2019, as modified by MOD# 10.2019.3004023.2. Current Lot 402 is shown in the aerial map provided by Council in figure 5 below.

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*Figure 5: Aerial plan of the subject site*

The lot is currently vacant, except for farming infrastructure including sheds and stables.

The land generally slopes to the east from 1300m in elevation down to 1160m with only a 1<sup>st</sup> order intermittent watercourse being an upper tributary of Casley's Springs located within lot 402 as shown in figure 6 below.

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**Figure 6: Topographic Map showing the subject site**

The subject site, particularly the western areas of lot 402 adjacent to Westons Road are mostly cleared and have been grazed over an extensive time.

Access to the site is via Westons Road a public road, and then via a right-of-carriageway over the subject site.

The location of the proposed cabins and managers residence are shown in Appendix A and illustrated in figure 7 below.



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*Figure 7: Proposed cabin sites*

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### **3. DESCRIPTION OF THE DEVELOPMENT**

#### **3.1 General Description**

The proposal includes the construction of four [4] eco-tourist cabins, with three [3] cabins comprising of two [2] bedrooms and one [1] cabin comprising of a single bedroom in a single storey form.

The maximum capacity of the cabins is for fifteen [15] guests.

The proposal also includes a two [2] bedroom managers residence to provide for on-site management of the facility.

The development will be staged as follows:

Stage 1: Cabins A,B & M [Managers Residence]

Stage 2: Cabins C & D

The proposed cabins have been designed to orientate to the north-east to maximise thier view over Lake Jindabyne and for solar access. The cabins comprise of modern alpine architecture elements including skill roof forms and external materials that include Colorbond roof sheeting and wall cladding and aluminium framed windows.

The cabins are modest in size and single storey with cabins A,B & C including two bedrooms, one bathroom, a carport and a combined kitchen and living area, connected to a deck, with an external laundry.

Cabin D is also single storey and includes one bedroom, one bathroom and a combined kitchen and living area, connected to a deck, with an external laundry.

A driveway will be constructed within the cleared land above the cabins with turning areas provided. All the cabins include a carport except for Cabin D which will be provided with on grade parking for at least one vehicle. All cabins each include a 10kL rainwater collection tank an additional tank of 100kL for storage. The managers residence will also be connected to a 10kL tank for firefighting.

#### **3.2 Ecologically Sustainable Development**

The project has been designed in accordance with sustainability principles. The projects development and operation has therefore been designed to promote long-term economic, social and environmental sustainability, as set out below.

##### **3.2.1 Site Analysis Process**

The project has been subject to a site analysis process to ensure that the development has been designed to be sensitive to the site and its constraints and opportunities. The site analysis process has informed the site selection, orientation & design for the cabins as follows:

- Orientate each of the cabins towards a northeast to allow for maximum solar access and views towards Lake Jindabyne.

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- Locate the cabins on predominantly disturbed and grazed land that does not warrant the removal or disturbance of native vegetation, including the provision of Asset Protection Zones.
- Locate the cabins close to Westons Road to reduce the extent of internal driveways and associated impacts.
- Design the cabins in response to the topography of the site, the surrounding vegetation, and have a minimal impact on the natural environment.
- Provide each eco-cabin with its own rainwater collection tank as well as a larger holding tank.
- Locate the buildings below the road to reduce potential visual impacts when viewed from Westons Road and setback buildings more than 60m from the neighbouring residence to the north-west.
- Limit visual impacts by limiting the height of the cabins being single storey with low profile skillion with a simple modern alpine design.

### 3.2.2 Design and Construction

Following the site analysis process, the design and construction of the cabins will utilise a traditional timber frame, metal cladding construction, with a high level of insulation and double glazed windows, together with a concrete slab for thermal mass.

The cabins will therefore incorporate a passive solar design to allow for the building to gain heat in winter and reject solar heat in the summer and take advantage of the local climate.

### 3.2.3 Construction Management

To ensure that the construction of the project is appropriately managed and undertaken to minimise impacts on the environment, a Construction Management Plan has been prepared and provided in Appendix B.

### 3.2.4 Renewable Energy

To reduce dependency on fossil fuels and reduce greenhouse gas emissions whilst also reducing operating costs over the long term, the development will source its primary energy supply, hot water as well as cooling and heating from renewable energy sources such as solar power.

### 3.2.5 Education

The proposed cabins are located in a naturally aesthetic environment, with views of Lake Jindabyne.

Passive and active activities on the site can include nature based walking, mountain biking and horse riding, which are available year-round.

Off site, guests have access to nature based tourism products and opportunities within the locality and region, with a summary of these activities listed below:

- Lake Jindabyne: Fishing, boating including waterskiing and wakeboarding, swimming and paddling.



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- Kosciuszko National Park: Bushwalking and Mountain Biking including the Main Range Track, Summit Walk, Kosciuszko Walk and Thredbo Valley Trail.
- Art & Culture: Art exhibitions, displays and competitions including Raglan Gallery and Cultural Centre, Kosciuszko National Parks Visitor Centre's exhibition gallery & Stewarts Information and Gallery at Adaminaby.
- Food and Wine: Jindabyne and outer area restaurants plus the Wild Brumby Distillery, Snowy Vineyard Estate and Microbrewery and Jindabyne Brewery.
- Mountain Biking: Thredbo Alpine Resort, Lake Jindabyne Community Trail, Bungarra & Lake Crackenback Resort & Spa.
- Fishing: High Country Outfitters, Eucumbene Trout Farm & Snowy Mountains Fishing
- Horse Riding: Cochran Horse Treks, JE Resort, Snowy Wilderness and Thredbo Valley Horse Riding.

This information will be provided to guests in both electronic and written form.

### 3.3 Services

#### 3.3.1 Water

Potable water supply for the cabins will be collected from roof water connected to individual rainwater 10kL tanks.

An additional 10kL tank for static water supply for fire fighting will be located at the Managers Residence.

These tanks will be interconnected with a large 100kL holding tank, providing a minimum total of 160kL water storage capacity for all cabins.

This allows for the development to be totally sustainable in regards to its water supply and use, therefore fulfilling a key sustainability principle.

To further reduce water demand, the following water efficient devices and measures are to be incorporated into the eco-tourist facility cabins:

- Install showerheads with a minimum rating of 4 star in all showers in the development.
- Install a toilet flushing system with a minimum rating of 4 stars or waterless toilets in each toilet in the development.
- Install taps with a minimum rating of 4 stars in the kitchen in the development
- Install basin taps with a minimum rating of 4 stars in each bathroom in the development.
- Install water efficient appliances in the development.
- Plant indigenous and low water use plants.

#### 3.3.2 Sewer

An on-site effluent system will be installed for the cabins, with areas identified below the cabins within cleared areas, well setback more than 100m from the nearest watercourse. A soil report will be provided at the time of S.68 Application for the installation of the cabins and/or Application to install an OSSM.

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### **3.3.3 Electricity**

Electricity generation will be derived from solar photovoltaic panels with batteries and back-up diesel generator.

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## 4. KEY MATTERS FOR CONSIDERATION

### 4.1 FAUNA AND FLORA

The proposed cabins and associated works have been located within an area directly below Westons Road, which is largely devoid of native vegetation, having been pasture improved and grazed over an extended time, with only isolated Eucalypts and very little to no native vegetation understorey or native grasses present, as shown below.



*Figure 8: Location of the proposed development in relation to the cleared land*

The proposed development site therefore does not comprise of any native vegetation communities that would form an Endangered Ecological Community (EEC) or provide suitable threatened species habitat.

This is further illustrated in the photos provided below in figure's 9 & 10 and in Appendix A.

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*Figure 9: Northern end of the development site, devoid of native vegetation*



*Figure 10: Southern end of the development site is mostly devoid of native vegetation*

Impacts on fauna and flora, in particular any listed Threatened Species and or Endangered Ecological Communities will therefore be minimal given the siting and design of the development as part of the site analysis process undertaken and the level of previous disturbance.

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## 4.2 ABORIGINAL HERITAGE

The following assessment has been undertaken in accordance with the then Department of Environment, Climate Change and Water (DECCW) 2010 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'.

The Code provides a flowchart of six questions to identify the presence of and potential harm to Aboriginal heritage. These questions and their applicability to the project are shown below. The responses to these questions determine if further heritage investigations are required.

*Step 1. Will the activity disturb the ground surface?*

Comment:

The proposed installation of cabins and associated works will disturb ground that has already been partly disturbed.

*Step 2. Step 2a. Search the AHIMS database and use any other sources of information of which you are already aware.*

Comment:

This search has been undertaken and provided in Appendix C. The search of the lot, has found no record of any Aboriginal sites or places.

*Step 2b. Activities in areas where landscape features indicate the presence of Aboriginal objects:*

*Consequently, if your proposed activity is:*

- *within 200m of waters ,*
- *located within a sand dune system , or*
- *located on a ridge top, ridge line or headland,*
- *located within 200m below or above a cliff face,*
- *within 20m of or in a cave, rock shelter, or a cave mouth and is on land that is not disturbed land [see Definitions] then you must go to step 3.*

Comment:

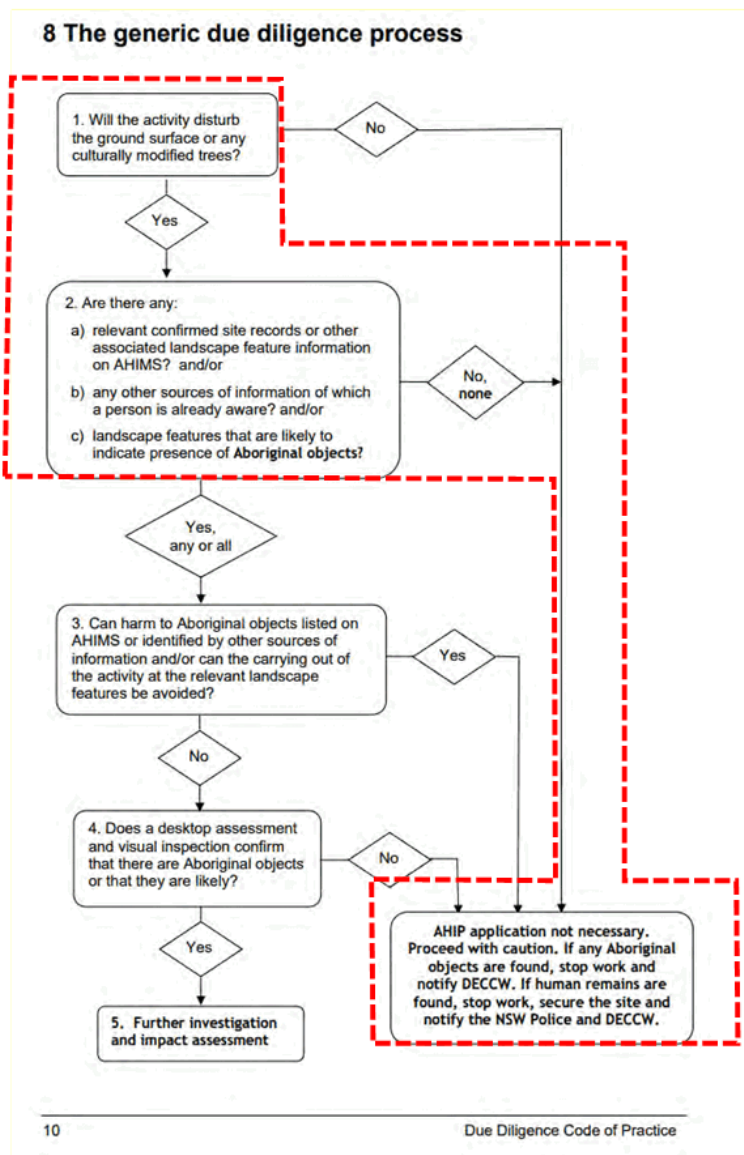
The subject site is not located within a sand dune system, on a ridge top, ridge line or headland, located within 200m of a cliff face or within 20m of or in a cave, rock shelter or cave mouth.

The site is also not located within 200m of waters, being a defined water course.

Therefore, after completing steps 2a and 2b, it is reasonable to conclude that there are no known Aboriginal objects or a low probability of objects occurring in the area of the proposed activity, and the development can proceed with caution without applying for an AHIP. This fulfils all reasonable steps under the Due Diligence Code.

Therefore, there is no requirement to move onto Step 3, as per the Code below.

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### 4.3 VISUAL IMPACTS

With the subject site partly visible from the Alpine Way [for westbound traffic only] and Lake Jindabyne, the size, scale and location of the proposed cabins were chosen in part to mitigate potential visual impacts associated as a result of the erection of the buildings.

This has included using single storey dwellings with low profile skillion roofs as well as materials and colours that are compatible with the natural landscape and surrounding built environment.

All the cabins are located below Westons Road within a cleared area and therefore well below the ridge and plateau associated with the higher land to the west. This will ensure that the buildings do not protrude into the skyline.

This will assist with limiting any potential visual or scenic impacts associated with the proposal, particularly in context with the other dwellings in the locality that are also visible from the Alpine Way.

### 4.4 Access & Traffic

#### 4.4.1 Access

Access to the property is via Westons Road, a public road which terminates at the adjacent property boundary. The road then sits within the adjacent site and subject site, providing a right-of-carriageway access to the properties to the south.

An extract of the Deposited Plan image below shows the 20m wide right-of-carriageway.

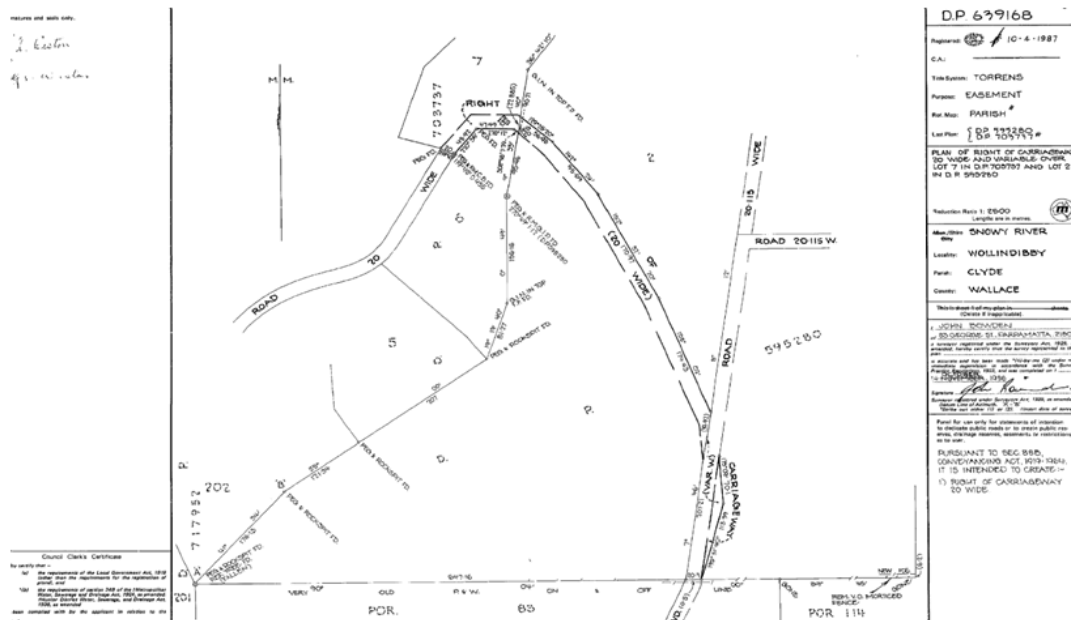


Figure 11: Extract of the Deposited Plan image

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*Figure 12: Westons Road within the property providing access to the subject site*

The proposed internal driveway has been located below Westons Road to access the cabins, above the cabins to not interfere with the views and amenity for guests, whilst being located within a cleared area with a moderate slope.



*Figure 13: Location of the internal driveway to access the proposed cabins*



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#### **4.4.2 Traffic**

The RTA 'Guide to Traffic Generating Developments', does not provide a specific average trip generation for 'Eco-tourist accommodation' or cabin style accommodation in general.

The Guidelines only provide an average trip generation for motel rooms, being three (3) trips per day.

Although three of the cabins comprise of two bedrooms, the cabins are only rented to one group at a time (in other words the rooms are not rented separately), which would result in predominantly only one car being used for each cabin. Less frequently, these cabins may be used by two cars (i.e., when two couples with each couple use their own car).

Therefore, the average trip generation would be approximately twelve (12) trips per day based on 100% occupancy. Over a year, this may be reduced down to eight (8) to ten (10) trips per day, commensurate with traffic generated by a large single dwelling.

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## 5. ENVIRONMENTAL PLANNING ASSESSMENT

### 5.1 SECTION 4.15(1)(a)(i) – ENVIRONMENTAL PLANNING INSTRUMENTS

The only environmental planning instrument that applies to the proposed development is the Snowy River Local Environmental Plan 2013 (SRLEP, 2013) which has been considered below.

#### 5.1.1 Local Environmental Plans

##### Snowy River Local Environmental Plan 2013

The property is located within the Snowy River Shire area of the Snowy Monaro Regional Local Government Area and therefore the SRLEP, 2013 applies.

The subject property is zoned E3 – Environmental, as illustrated below.



*Figure 14: LEP Zoning Map Extract*

Under the SRLEP 2013, an 'eco-tourist facility' is permissible with consent within the E3 zone.

An 'eco-tourist facility' is defined under the LEP as below:

**eco-tourist facility** means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

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It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

**Note.** See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

The proposed cabins form an Eco-tourist facility that provides short-term accommodation to visitors on a commercial basis and by being located on the subject site within a locality that provides special ecological and cultural features.

As documented in this SEE, the development has been designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impacts.

In regard to the proposed development, the following clauses are considered applicable under the SRLEP, 2013:

**Clause 4.3 Height of Buildings**

The maximum height under the SR LEP, 2013 is 9m.

The proposed development incorporates single storey cabins, each with a low profile skillion roof with a maximum height of 4m, which therefore complies with clause 4.3.

**Clause 5.13 Eco-tourist facilities**

Clause	Response
(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.	<i>The proposed development is for an eco-tourist facility and therefore this clause applies.</i>
(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:	
(a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and	<i>As documented in this SEE, the proposed development has been subject to a site analysis process and has been designed to achieve an ecologically sustainable development, demonstrating a connection between the development and natural and cultural landscaping and setting.</i>
(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and	<i>The development has been designed and located to minimise impacts on native fauna and flora values and in accordance with the CMP provided in Appendix B, the construction can be appropriately managed. The design of the building and elements incorporated will allow for its management and maintenance to minimise impacts on the natural environment.</i>
(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and	<i>The development will allow for an appreciation of the environmental and cultural values through its natural setting and location in the immediate</i>

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	<i>locality as well as Lake Jindabyne &amp; Kosciuszko National Park in the wider locality.</i>
(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and	<i>The development has been located to limit impacts on watercourses and significant flora and fauna.</i>
(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and	<i>The site will be maintained to ensure its natural setting and surrounding environment is maintained.</i>
(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and	<i>Waste generation will be managed as per the CMP provided in Appendix B.</i>
(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and	<i>The development has been located and a designed to not be highly visible from the surrounding areas, with a low scale built form.</i>  <i>Any potential visual impacts will be further minimised by the buildings setting, setbacks and materials and colours.</i>
(h) any infrastructure services to the site will be provided without significant modification to the environment, and	<i>Most of the infrastructure to be installed is to allow for the development to be self-supporting and sustainable in regards to water supply and on-site effluent disposal.</i>
(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and	<i>The cabins have been designed to achieve passive heating and cooling, with a range of ESD elements and a water efficient design that will rely on its own roofwater captured.</i>
(j) the development will not adversely affect the agricultural productivity of adjoining land, and	<i>The location and scale of the development and its position will ensure that the productivity of the land is not compromised.</i>
(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment: (i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.	<i>All of these matters have been addressed through the site analysis process undertaken, detailed design and construction technique process selected and use of ESD technologies as documented in Section 3.2 above.</i>  <i>The proposed development has been designed so that some form of Eco-Tourism accreditation can be achieved which is equivalent to ISO14000 standards.</i>



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### Clause 7.2 Terrestrial biodiversity

The proposed development is located within areas mapped as "Biodiversity", as shown in figure 15 below. Accordingly, clause 7.2 of the SRLEP, 2013 applies to the development.

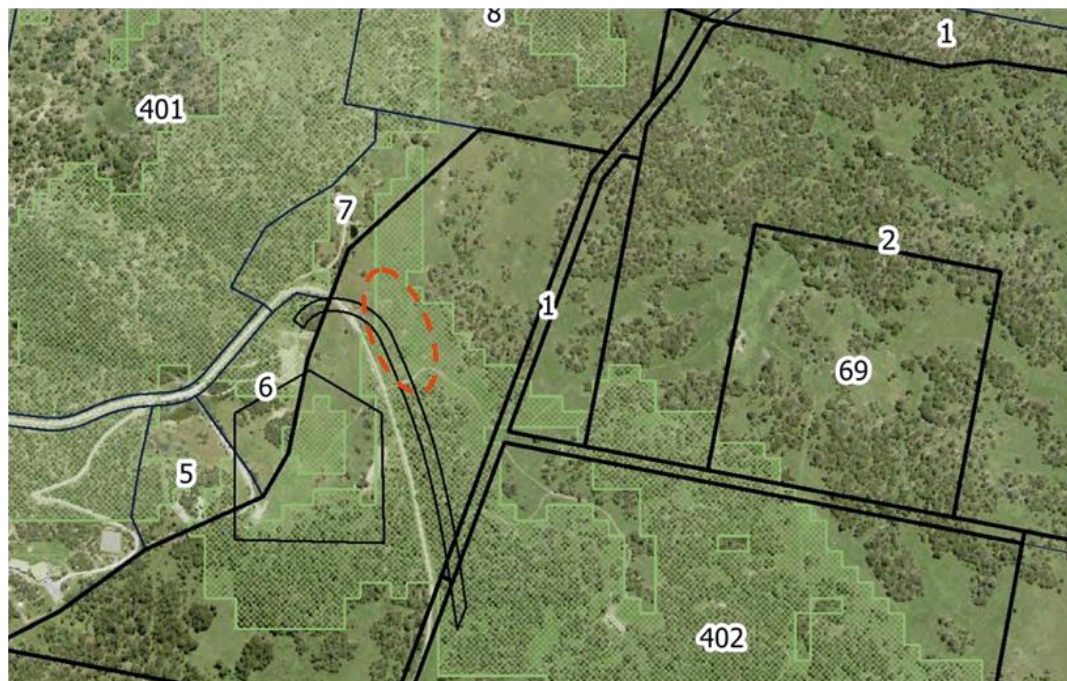


Figure 15: LEP Biodiversity Map Extract

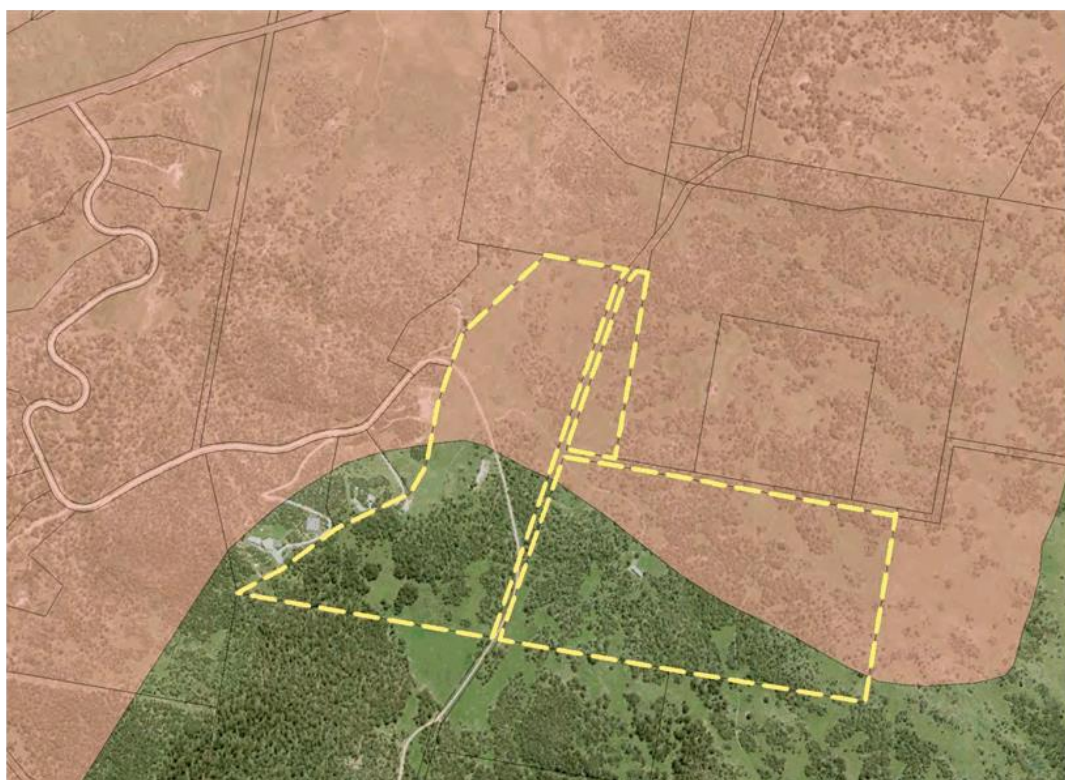
Clause	Response
(2) This clause applies to land identified as "Biodiversity" on the <u>Terrestrial Biodiversity Map</u> .	<i>The proposed development is located within the mapped 'Biodiversity' areas and this clause is addressed below.</i>
(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider: (a) whether the development is likely to have: (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and (iv) any adverse impact on the habitat elements providing connectivity on the land, and (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the	<i>All the proposed cabins sites have been predominantly cleared and/or managed, having been pasture improved and grazed over an extended time.</i>  <i>The existing entrance and part of the internal access track will be used to form the driveway to the proposed cabins. The proposed driveway location has been chosen as it avoids clearing further native vegetation.</i>  <i>No substantial trees will be required to be removed.</i>  <i>The development site was selected as it is close to the road and existing infrastructure and other buildings, leaving the majority of the property as is.</i>

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development.	
[4] Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:	<i>The proposal will therefore not further fragment, disturb or diminish the biodiversity structure, function and composition of the land or habitat connectivity.</i>
(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or	
(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or	<i>Accordingly, the proposed development has been designed to avoid significant adverse impacts.</i>
(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	

**Clause 7.7 Development within the eastern approaches to Kosciuszko National Park**

A review of the Scenic Protection Area map which includes identifying the eastern approaches to Kosciuszko National Park mapped areas, as shown in figure 16 below, has identified the proposed cabins are located within the mapped area.



**Figure 16: LEP Scenic Protection Map Extract**



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Clause 7.7 has therefore been addressed below.

Clause	Response
[2] This clause applies to the land identified as "Eastern Approaches to Kosciuszko National Park" on the <u>Scenic Protection Area Map</u> .	<i>The proposed cabins are located within land mapped as being located within the 'Eastern Approaches to Kosciuszko National Park' and therefore this clause applies.</i>
[3] Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:	
[a] the development complements the natural beauty of the surrounding area, and	<i>As discussed in 4.3 above, the proposed cabins are located below Westons Road, well below the ridge and plateau associated with the higher land to the west. This will ensure that the dwelling does not protrude into the skyline.</i>
[b] the development is compatible with the surrounding natural environment and scenic landscape, and	
[c] in the case of bed and breakfast accommodation, camping grounds, cellar door premises, eco-tourist facilities, farm stay accommodation, information and education facilities and recreation facilities, the development demonstrates the capacity to be able to operate on a year-round basis, and	<i>All the cabins share the same single storey, low profile and low scale design with materials and colours that are compatible with the landscape and surrounding built environment.</i>
[d] the development has been designed to prevent any significant adverse visual impact on the land to which this clause applies, particularly when viewed from the Alpine Way or the eastern approaches.	<i>The development is an eco-tourist facility and will operate on a year-round basis.</i>
	<i>The proposed development has been located with sufficient setback and of sufficient scale, that it will not generate any adverse visual impacts, particularly as it will not be highly visible from the Alpine Way.</i>

**Clause 7.9 – Essential services**

Clause	Response
Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:	<i>Water will be collected off the roofs of each cabin and stored in rainwater collection tanks located next to each cabin and a large storage tank.</i>
[a] the supply of water,	<i>Electricity supply will be provided by solar pv panels, batteries and back-up diesel generator.</i>
[b] the supply of electricity,	
[c] the disposal and management of sewage,	<i>On-site effluent will be managed by a new system with a soil report provided separately.</i>
[d] stormwater drainage or on-site conservation,	
[e] suitable vehicular access.	<i>All roofwater will be collected and diverted to the rainwater tank with any overflow be managed and dissipated before being dispersed downslope.</i>

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Access is covered in Section 4.4 above.
---

## **5.2 SECTION 4.15(1)(a)(ii) – DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

There are no draft Environmental Planning Instruments that are applicable to the site or proposed development.

## **5.3 SECTION 4.15(1)(a)(iii) – DEVELOPMENT CONTROL PLANS**

### **Snowy River Development Control Plan 2013**

The Snowy River Development Control Plan 2013 applies to the subject site and a detailed assessment of the proposed development in accordance with the DCP is provided in Appendix D.

## **5.4 SECTION 4.15(1)(a)(iiia) – PLANNING AGREEMENTS**

There are no known Planning Agreements applicable to the proposed development or subject site.

## **5.5 SECTION 4.15(1)(a)(iv) – REGULATIONS**

The development application has been made in accordance with the requirements contained in Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.

## **5.6 SECTION 4.15(1)(b) – LIKELY IMPACTS**

### **Natural Environment:**

The proposed development has been designed and located within area that does not comprise of extensive native vegetation with no threatened species or endangered ecological communities likely present.

Impacts on the natural environment have further been minimised through the site analysis process undertaken.

### **Built Environment:**

Impacts on the built environment are also considered to be minimal and on balance will be positive through careful site and design selection applied to the buildings, its scale and materials to be used.

### **Social and Economic impacts in the locality:**

Potential amenity impacts have largely been mitigated through the site analysis process undertaken and the design and scale of the buildings and their orientation.

The economic impacts are expected to be positive by the investment of capital into the property and increase in year-round tourism.

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## 5.7 SECTION 4.15(1)(c) – SUITABILITY OF THE SITE

The subject site is considered suitable for the proposed development, following the site analysis work undertaken. The site analysis has allowed for any constraints to be avoided and or mitigated by the siting and design of the development.

By maximising its views of the lake to the north-east, the proposed development is considered to use the site's opportunities well.

## 5.8 SECTION 4.15(1)(d) – SUBMISSIONS

The consent authority is required to consider any submissions made in response to any public notification undertaken.

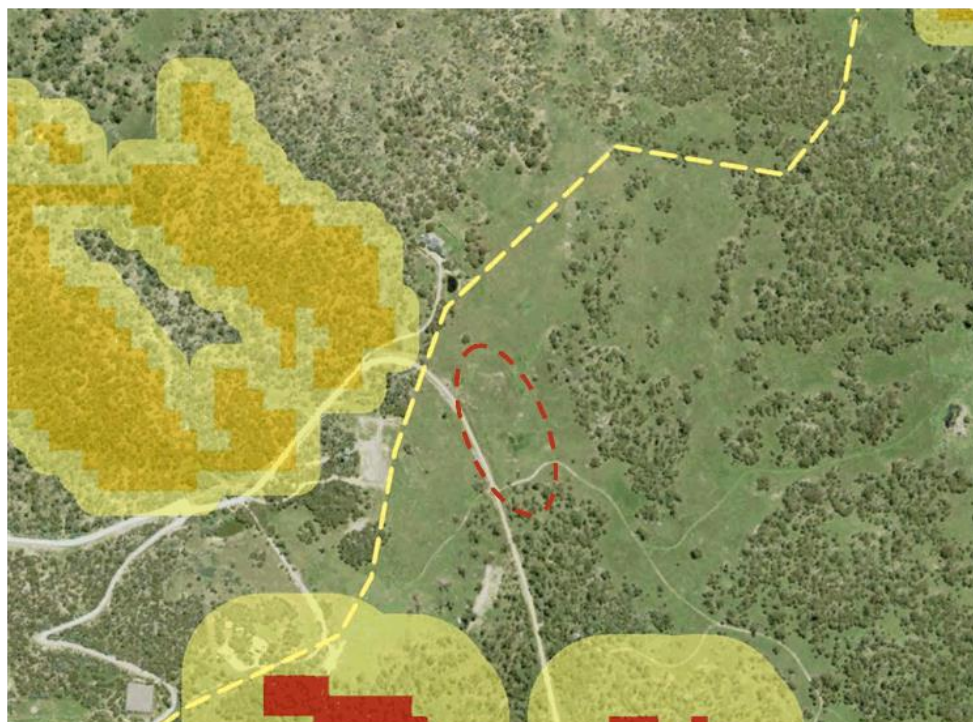
## 5.9 SECTION 4.15(1)(e) – THE PUBLIC INTEREST

The above assessment has demonstrated that the proposal satisfies the objectives and relevant clauses prescribed under the Snowy River LEP 2013 and Snowy River DCP 2013.

Consequently, the proposed development is considered to be within the public interest.

## 5.10 SECTION 4.46 – INTEGRATED DEVELOPMENT

The subject site includes patches of vegetation designated as bushfire prone land, however the proposed development is not located within any vegetation mapped as bushfire prone as shown in the bushfire prone land map provided in figure 17 below.



*Figure 17: Bushfire Prone Land Map Extract*

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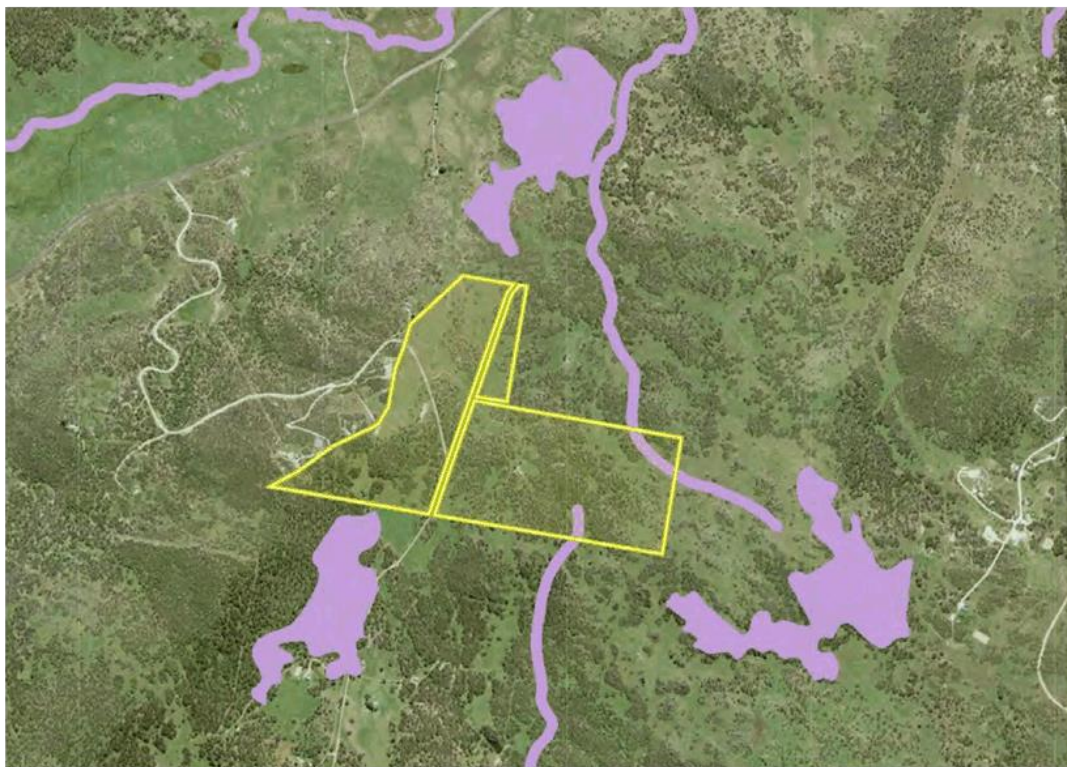
However, as the development is for a 'special fire protection purpose' being for tourist accommodation, a Bushfire Safety Authority under S.100B Bush Fire Safety Authority pursuant to S.4.46 of the EP&A Act, 1979 may be required as the development is located within an allotment that includes bushfire prone land.

A separate bushfire assessment report has therefore been prepared and submitted with the Development Application.

### 5.11 BIODIVERSITY CONSERVATION ACT, 2016

The Biodiversity Conservation Act 2016 and Local Land Services Amendment Act 2016 together with the Biodiversity Conservation Regulations 2017 were enacted on the 25 August 2017 and came into effect on the 25 February 2018.

A review of the subject site in relation to the Biodiversity Values Map shows that the site is not mapped as comprising high biodiversity values, see below.



*Figure 18: Biodiversity Values Map*

Therefore, under the clearing threshold, the site has a minimum lot size of 100 hectares, which allows up to 1ha (10,000m<sup>2</sup>) of clearing of native vegetation without having to undertake a Biodiversity Development Assessment Report (BDAR) assessment and therefore triggering the Biodiversity Offsets Scheme (BOS).

To minimise impacts on biodiversity and the extent of clearing required for the development, the proposed cabins are located within a predominantly cleared area below Westons Road, requiring minimal native vegetation removal.



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The proposed development incorporates the following overall disturbance footprint:

- Internal Driveway, including turning areas: 1800m<sup>2</sup>
- Cabins inc parking, tanks and overall disturbance footprint: 5 x 300m<sup>2</sup> = 1500m<sup>2</sup>
- On-site Effluent inc trenches: 600m<sup>2</sup>

Therefore, the proposed development will have an overall footprint of approximately 0.4ha. The proposed development would require well below the 1ha of clearing threshold permitted, noting that most of this disturbance would not require the removal of native vegetation.

A BAM assessment is therefore not required, and the Biodiversity Offsets Scheme is not triggered.

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## 6. CONCLUSION

The proposed development has been designed to achieve a high level of architectural quality and has been designed following a site analysis process to ensure that the proposed development is sensitively designed and appropriately responds to the site.

Potential impacts on the environment have been minimised by locating the development within a cleared area, close to the access road, away from areas of significant fauna and flora and bushfire risk.

To ensure that all the planning, environmental and associated legislation is complied with and fulfilled, the proposed development has been considered in regard Section 4.15 of the Environmental Planning and Assessment Act, 1979, the Snowy River Local Environmental Plan 2013 and Snowy River Development Control Plan 2013.

The proposal has been found to be consistent with the above legislation, Environmental Planning Instrument and Development Control Plan, as detailed in this SEE.

Overall, the proposed development will generate positive economic impacts for the locality, will contribute to the built environment and will ensure impacts on the natural environment are minimised and therefore is considered an appropriate form of development for the site and the locality.





## APPENDIX A

### PHOTOS

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix A: Photos



*Figure 1: Proposed Cabin A site*



*Figure 2: Proposed Cabin B site*

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix A: Photos

*Figure 3: Existing entrance to be used off Westons Road*



*Figure 4: Proposed internal driveway corridor*



Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix A: Photos

*Figure 5: Proposed  
Managers  
Residence  
site*



*Figure 6: Proposed  
Cabin Site C*



Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix A: Photos



*Figure 7: Proposed Cabin D site*



## APPENDIX B

### CONSTRUCTION MANAGEMENT PLAN



Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

## 1. INTRODUCTION

### 1.1 Objectives

The objectives of this Construction Management Plan are to:

- ensure compliance with the requirements of all relevant environmental legislation;
- identify specific responsibilities for ensuring the safeguards are implemented;
- ensure that works are managed to reduce adverse impacts on the environment;
- ensure environmental safeguards are implemented correctly; and
- provide a basis for the auditing, monitoring and reporting of environmental performance.

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

## 2. ENVIRONMENTAL ACTIONS

### 2.1 Environmental Actions

The environmental actions required for the proposed works are listed in Table 1 below.

This table also provides the timeframe and frequency for the actions and subsequent monitoring, as well as the designation of responsibilities.

This provides an all-inclusive checklist for the efficient use by Contractors and relevant staff.

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

**Table 1 Environmental Actions Checklist**

**Flora**

<b>ACTION CHECKLIST</b>	<b>When to be undertaken</b>	<b>DONE (Initial/date)</b>
All site personnel shall observe the limits of the works area.	During Construction	
To reduce the risk of further spread of weeds; machinery and vehicles used on site are to be thoroughly washed before entering the site; and footwear and equipment are to be washed prior to being utilised to ensure they area free of weed seeds.	During Construction	
The site is to be progressively stabilised as works are completed.	Upon Completion	
The condition of rehabilitated areas shall be monitored seasonally until permanent vegetation cover is achieved.	Upon Completion	
Follow up weed control (spot spraying) is to be carried out if deemed necessary.	Upon Completion	

**Fauna**

<b>ACTION CHECKLIST</b>	<b>When to be undertaken</b>	<b>DONE (Initial/date)</b>
Accidental leakages and spillage of concrete, fuel or lubricant from machinery shall be dealt with by taking immediate measures to contain the spill.	During Construction	
Areas which have been disturbed are to be rehabilitated immediately following the completion of works.	Upon Completion	

**Erosion and Sedimentation**

<b>ACTION CHECKLIST</b>	<b>When to be undertaken</b>	<b>DONE (Initial/date)</b>
Where areas are to be disturbed, temporary sediment control structures are to be implemented.	Prior to Commencement	
Wherever practicable, during the course of construction, exposed areas shall be provided with a cover to minimise erosion and sedimentation.	During Construction	
Erosion and sedimentation controls shall be monitored on a daily basis or immediately following a rainfall event.	Following Rainfall/ Daily	
Construction activities shall be programmed to minimise the area of disturbed ground that is exposed to erosion at any one time.	During Construction	
All exposed soil areas shall be appropriately stabilised to prevent erosion.	During Construction / Prior to Rainfall	
All exposed soil areas shall be appropriately revegetated following stabilisation to prevent erosion.	Upon Completion	

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

### Water Quality

ACTION CHECKLIST	When to be undertaken	DONE (Initial/date)
Spills of any liquids shall not be hosed or flushed away but swept or collected.	During Construction	
Equipment shall be properly maintained to prevent water pollution. All plant and equipment should be inspected daily to avoid leakage of fuel, oil or hydraulic fluid.	During Construction	
No maintenance other than emergency repairs shall be undertaken on site.	During Construction	
All plant/ equipment shall be washed out in an appropriately protected area to prevent erosion and pollution to existing drains or natural areas.	During Construction	
Spill kits shall be readily accessible.	Prior to Commencement	

### Site Working Area

ACTION CHECKLIST	When to be undertaken	DONE (Initial/date)
Ensure that access to the site is restricted to authorised personnel only.	During Construction	
Ensure site and associated plant and equipment is secured when site activities conclude at the end of the day.	End of Each Day	
Upon completion of construction, the site working areas shall be removed, and the area reinstated as found originally.	Upon Completion	

### Air Quality

ACTION CHECKLIST	When to be undertaken	DONE (Initial/date)
Materials transported in open trucks shall be covered to prevent generation of dust.	During Construction	
The tailgates of all vehicles transporting material from the construction site shall be securely fixed prior to loading and immediately after unloading.	During Construction	
Areas no longer required for construction activity shall be progressively stabilised as soon as practicable to assist in controlling dust.	Upon Completion	

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

### Fuel, Chemicals & Hazardous Material (Explosives)

ACTION CHECKLIST	When to be undertaken	DONE (Initial/date)
A container of spill absorbent is to be made available and used for emergency spills of fuel, oil or other chemicals.	Prior to Commencement	
Any contaminated material [empty drums, rag, contaminated soil etc] shall be removed immediately from the site and disposed of in accordance with the appropriate regulations.	End of Each Day	

### Plant and Equipment

ACTION CHECKLIST	When to be undertaken	DONE (Initial/date)
All plant and equipment used on the subject site is to be placed in existing disturbed corridors to prevent minimal disturbance to the native vegetation.	Prior to Commencement / During Construction	
Emergency procedures shall be displayed in a prominent position in the site working area.	Prior to Commencement / During Construction	
All work sites shall be restored in a satisfactory manner and where necessary in accordance with the appropriate regulations.	Upon Completion	

### Waste Management

ACTION CHECKLIST	When to be undertaken	DONE (Initial/date)
All litter generated on site is to be placed in small garbage bags. At the end of each day, these bags are to be disposed of in appropriate bins.	End of Each Day	
A daily inspection shall be carried out to ensure the worksite is left in a rubbish free state.	End of Each Day	
All employees shall be informed of the need to maintain a clean worksite.	Prior to Commencement / During Construction	
All loads of rubbish removed shall be securely covered to ensure no spillage.	During Construction	
To the furthest extent possible, efforts shall be made to reduce, reuse and recycle materials used onsite.	During Construction	
The worksite shall be left in a tidy and rubbish free state upon completion of the Project.	Upon Completion	

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

### Aboriginal Heritage

ACTION CHECKLIST	When to be undertaken	DONE (Initial / date)
All staff and contractors working on the site shall be advised of the need to notify their supervisor and cease work, if either indigenous or non-indigenous heritage items are encountered.	Prior to Commencement	
Any evidence of Aboriginal relics discovered during construction shall be reported to DPIE. Work in subject area to cease. If disturbance to any suspected relics or site is proposed, an excavation permit shall be sought from the DPIE.	During Construction	

### Noise and Vibration

ACTION CHECKLIST	When to be undertaken	DONE (Initial / date)
All equipment to be used shall be correctly maintained and in good working order.	Prior to Commencement	
All construction activities shall be restricted to the hours as stipulated in the development consent issued by SMRC.	During Construction	



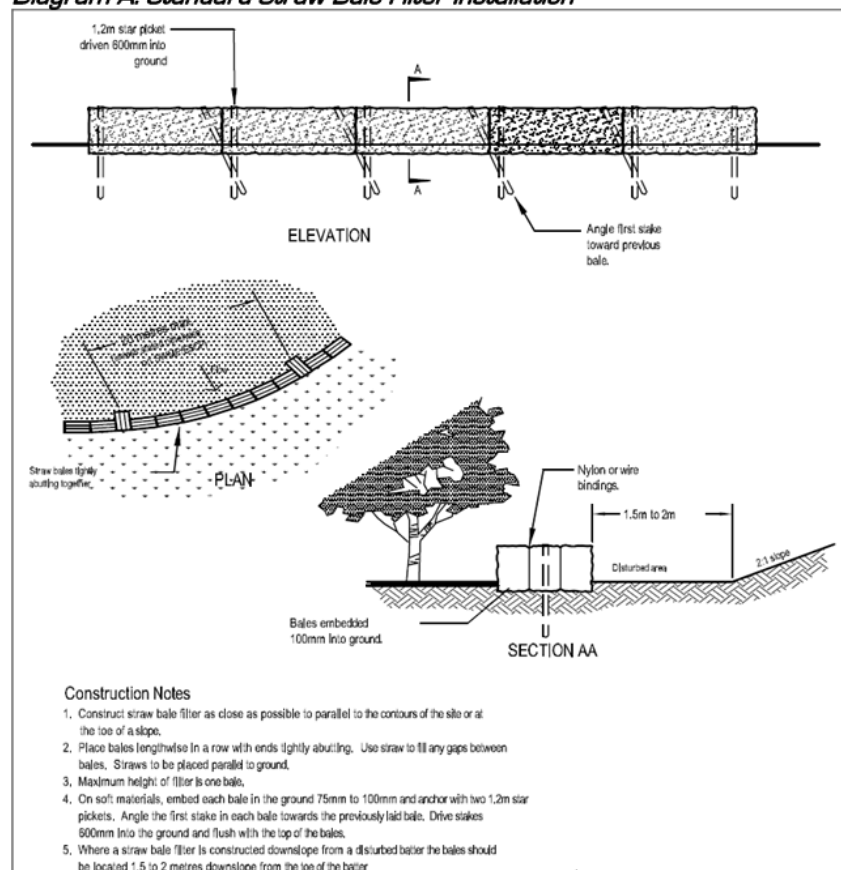
Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

## 2.2 Soil, Water & Construction Management

### Erosion and Sedimentation Control

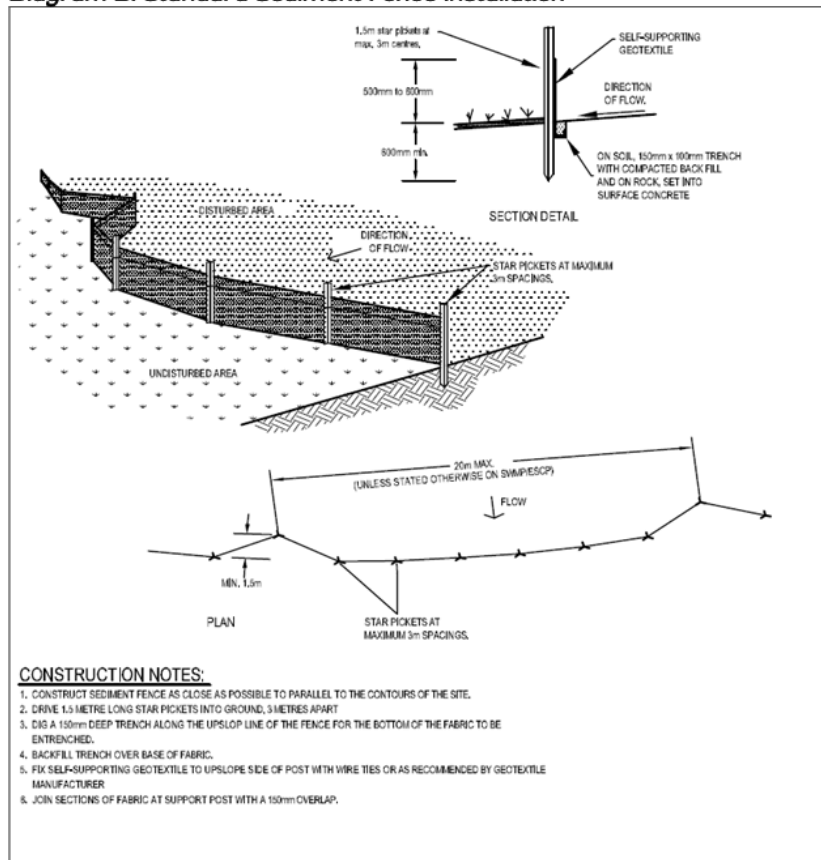
Standard principles for implementation of sedimentation control will be applied. Temporary controls will include either a straw bale filter, installed as illustrated Diagram A or a sediment fence in accordance with Diagram B below.

**Diagram A: Standard Straw Bale Filter Installation**



Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

**Diagram B: Standard Sediment Fence Installation**



The controls are to be installed in accordance with the following suite of criteria:

- Both straw bale and sediment control fencing should be installed on the low side of the work site;
- Both straw bale and sediment control fencing should be installed as close as possible to follow the existing contours of the site;
- A provision for the diversion of water, and stabilisation of channels, around the excavation site should be installed; and
- Areas where soil is to be stockpiled is to be surrounded by sediment control fencing and protected from runoff water.

## 2.3 Chemical Spill Prevention and Containment

The proposed development will not require the storage or use of any hazardous materials. If however any petroleum products, trade waste, garbage and other noxious substances are required for the subject works, although unlikely to be required in any substantial amount, this will be appropriately stored off-site.

## 2.4 Indigenous Heritage

Should any material suspected of being an Aboriginal object become unearthed in the course of works associated with the proposed works, all work at that location shall cease immediately as per Section 90 of the *National Parks and Wildlife Act 1974*, and the Department of

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

Planning, Industry & Environment shall be contacted immediately to arrange for representatives to inspect the site.

## **2.5 Waste Management**

To ensure that waste is managed, the following controls and measures are to be adhered to:

- All litter generated on site is to be placed in small garbage bags. These bags are to be disposed of appropriately in a timely manner.
- A daily inspection shall be carried out to ensure the worksite is left in a rubbish free state.
- All employees shall be informed of the need to maintain a clean worksite.
- Site generated waste including garbage, grouting and mortar and excess stabilisation materials shall be collected and removed from the site.
- All loads of rubbish removed shall be securely covered to ensure no spillage.
- To the furthest extent possible efforts shall be made to reduce, reuse and recycle materials used onsite.
- The worksite shall be left in a tidy and rubbish free state upon completion of the Project.

## **2.6 Noise and vibration pollution**

The intended hours of construction is from 7am to 8pm Monday to Friday, 7am – 7pm on Saturday and 8am – 8pm on Sundays and Public Holidays.

## **2.7 Air pollution**

The construction of the proposed development is not expected to create any unnecessary air pollution.

## **2.8 Traffic Management**

The overall principles for traffic management during demolition, excavation and construction phases of the development are:

- minimise effects on traffic movements and amenity;
- manage and control vehicular movements to and from the site;
- maintain traffic capacity at intersections;
- maintain existing on-street parking in the vicinity of the site where practical;
- maintain access to other properties adjacent to the site;
- maintain safety for workers;
- provide appropriate access to the site for demolition, excavation and construction traffic; and
- manage and control vehicle activity in the vicinity of the site.

Eco-tourist Facility, Westons Road, Crackenback ♦ SEE Appendix B: Construction Management Plan

### 3. Responsibility and Requirements

All the contractors and staff involved with the works are to be made aware of the relevant requirements of this CMP. Site induction is to be undertaken prior to the commencement of works.

It is the responsibility of the Contractor to ensure that all staff and subcontractors working on the site are provided with environmental training to achieve a level of awareness and competence appropriate to their assigned activities. Persons, including subcontractors' personnel, without appropriate environmental training should not be permitted to work on the site.

Site induction is to include:

- a) Environmental awareness, the principal of due diligence, and other relevant codes of practice.
- b) Specific environmental issues including:
  - *This CMP*
  - *Relevant legislation (as identified in this Report)*
  - *Emergency preparedness/procedures*
  - *Incident reporting*
  - *Community consultation*
  - *Site environmental procedures*



## APPENDIX C

### AHIMS SEARCH RESULTS



Office of  
Environment  
& Heritage

## AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : 51-20

Client Service ID : 561911

dabyne planning

Date: 18 January 2021

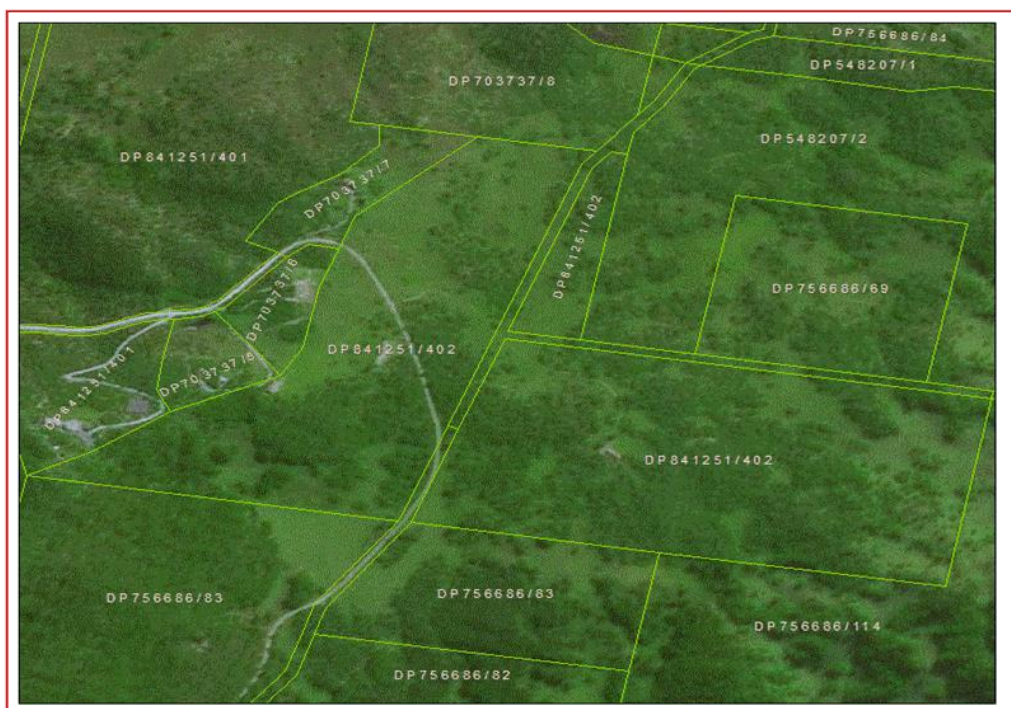
Attention: Ivan Pasalich

Email: ivan@dabyneplanning.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 402, DP:DP841251 with a Buffer of 0 meters, conducted by Ivan Pasalich on 18 January 2021.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



## APPENDIX D

### SNOWY RIVER DCP 2013—ASSESSMENT TABLES

Eco-tourist Facility, Westons Road, Crackenback ♦ SR DCP 2013 – Assessment Table

Snowy River Development Control Plan 2013	
C2 - Design	
1. Visual & Scenic Impact	
Control	Comment
<p><b>C2.1-1 Visual Landscape Character Assessment</b></p> <p>(a) Before granting development consent for development involving the carrying out of any works or building construction, the consent authority must have regard to the likely visual impacts of carrying out the development, including the visual impacts of ancillary uses like driveways and fencing and of the provision of electricity and other services to the site of the development.</p> <p>(b) When assessing visual impacts of the proposed development consideration must be given to:</p> <ul style="list-style-type: none"> <li>• Important visual features and the landscape character of the site and surrounding land;</li> <li>• Minimising the visual impact of the development on views from public areas, including public roads;</li> <li>• Reducing the visual impact of driveways and of the provision of services to the development;</li> <li>• Reducing the visual impact of proposed buildings by ensuring that external finishes are non-reflective and of a colour that blends in with the surroundings; and</li> <li>• Ensuring fencing and building styles are compatible with the visual character of the area.</li> </ul>	<p><i>Refer to Section 4.3 of the SEE.</i></p>
<p><b>C2.1-2 Building on Ridgelines</b></p> <p>(a) A building must not be erected on a ridgeline if the building would be visible from a public place such as an arterial road and appear as a skyline structure from that place or road. However, Council may consent to the erection of a building on a ridge line where:</p> <ul style="list-style-type: none"> <li>• The proposed location of the building comprises the only part of the land on which it is proposed to be erected which has reasonable vehicular access to a public road;</li> <li>• The whole of the land on which it is proposed to be erected is within the ridge line;</li> <li>• The function and architecture of the building has such significance to the community that, in the Council's opinion, it should stand out as a landmark.</li> </ul> <p>Development shall take into account the topography of the area avoiding significant skylines.</p>	<p><i>The proposed development is not located on any ridgelines.</i></p>

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<p><b>C2.1-3 Development in Lake Eucumbene and Lake Jindabyne Scenic Protection Areas</b></p> <p>In addition to the objectives (above) the following also apply for sites within the Lake Eucumbene and Lake Jindabyne Scenic Protection Areas:</p> <ul style="list-style-type: none"> <li>• Protect the sense of isolation which can be enjoyed in many areas on and adjacent to Lake Eucumbene.</li> <li>• Protect the environmental attractions and recreational functions of Lake Eucumbene and Lake Jindabyne including its attraction as a prime fishing destination.</li> <li>• Ensure that the Lakes and adjacent urban settlements continue to have a clear rural setting.</li> <li>• Protect the water quality, water storage functions and groundwater of Lake Eucumbene and Lake Jindabyne Scenic Protection Areas.</li> <li>• Protect the flora and fauna, including aquatic habitats.</li> </ul> <p>(a) Consideration must be given to the visual impact of the development when viewed from Lake Jindabyne, and Lake Eucumbene at its full supply level.</p> <p>(b) Consideration must be given to whether the design and construction of any new buildings (including fencing) prevent any intrusion into the view from the Lake and surrounding areas.</p> <p>(c) Consideration must be given to whether provision has been made for the planting of appropriate native species where the planting would visually screen the development.</p> <p>(d) Development consent must not be granted to development where the development will have an unacceptable visual impact on the scenic quality of the area.</p> <p>(e) The development has been designed to prevent any visual intrusion into the view from Lake Jindabyne and Lake Eucumbene (at its full supply level).</p> <p>(f) A visual impact analysis must be provided of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Lake.</p> <p><b>C2.1-4 Development within the Eastern Approaches to Kosciuszko National Park</b></p> <p>Development consent must not be granted to development of land in the Eastern Approaches unless the consent authority has considered a visual impact analysis of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Alpine Way and Kosciuszko Road.</p> <p>Development is to be designed and located so it causes no detriment to the scenic and rural character of land within the Eastern Approaches to Kosciuszko National Park, particularly when viewed from the Alpine Way or the Kosciuszko Road.</p>	<p><i>The proposed development is not located within the Lake Eucumbene or Lake Jindabyne Scenic Protection Areas.</i></p> <hr/> <p><i>The subject site is located within the Eastern Approaches to Kosciuszko National Park.</i> <i>Refer to Section 4.3 &amp; 5.1 of the SEE.</i></p>

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<p><b>C2.1-5 Building Design</b></p> <p>(a) The design and site coverage of the development should reflect the slope of the site and it may be desirable to leave steeply sloping parts of sites in their natural state.</p> <p>(b) All structures are designed and sited in order to minimise the need for excavation or fill for foundations and associated hardstand areas.</p> <p>(c) Buildings should utilise suspended slab construction, pole or steel frame, or brick and/or steel piers in order to minimise the disturbance to the natural grade caused by the building. Where areas on a site are already disturbed, those areas should be used for siting of buildings.</p> <p>(d) On steeply sloping sites and treed hillsides, building height and bulk, particularly on the downhill side is to be minimised and the need for cut and fill is to be reduced by designs which minimise the building footprint and allow the building mass to step down the slope.</p> <p>(e) Sub-floor areas must be enclosed or otherwise treated so that they do not look untidy when viewed from a public place.</p> <p>(f) Building heights are similar to those in the surrounding landscape with taller buildings sited so as to minimise impacts on the landscape.</p> <p>(g) New structures are designed to blend rather than contrast with the existing environment and the use of external reflective finishes is restricted.</p> <p>(h) The building design is not to include highly reflective surfaces such as 'zincalume' or tinted glass panels. External finishes may be natural or untreated, or where colours are used, these should have a light reflectivity index of 12% or below.</p>	<p><i>The proposed cabin development is located on modestly sloping ground with cut and fill being able to be managed.</i></p> <p><i>All the cabins will be constructed using a concrete slab.</i></p> <p><i>The building height of the cabins is single storey, with low profile skillions roofs.</i></p> <p><i>The development has been designed to respond to its natural setting and views to the north-east and solar access.</i></p>
<p><b>C2.1-6 Landscaping</b></p> <p>(a) The design of any new development must integrate with the landscape, by building on and incorporating existing landscape features such as vegetation and rocky outcrops.</p> <p>(b) Development must not involve the removal of bushrock or significant areas of vegetation.</p> <p>(c) Planting is to be located to soften the view of the development from any existing public roads and public vantage points.</p>	<p><i>The development will be able to fit into the landscape, without any substantial clearing or modification.</i></p> <p><i>The proposed buildings avoid rocky outcrops and areas of significant vegetation.</i></p>
<p><b>C2.1-7 View Sharing</b></p> <p>(a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>(b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>(c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.</p> <p>(d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.</p>	<p><i>The proposed development will not impact on any existing view corridors.</i></p>

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Snowy River Development Control Plan 2013	
C3 Car Parking, Traffic & Access	
3. Vehicle Access	
Control	Comment
<p><b>C3.1-1 Permanent and Practical Legal Access</b></p> <p>(a) All development, including all allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Councils development design and construction specifications.</p> <p>(b) Access roads are to be designed to minimise road infrastructure by utilising the most direct, and where possible the existing, legal routes.</p> <p>(c) An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted.</p> <p>(d) Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (eg. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same conditions applicable to rights of carriageway.</p> <p>(e) Where the development requires a second bushfire access/egress route, this is to be a permanent legal and practical access.</p> <p>(f) Where the existing road alignment does not match the dedicated or legally recognised road alignment, the road alignment should be rectified through re-alignment, closure, road construction or dedication.</p> <p>(g) Any additional length of public road created as part of the development and proposed to be transferred to the control of Council is to be minimised.</p> <p>(h) Direct access from either the Alpine Way or Kosciuszko Road is not to be provided to a development unless the site has no other practical alternatives that exist or can be created.</p> <p>(i) Consideration must be given to whether traffic associated with the proposed development will cause the condition of the roads to deteriorate and whether funds are or will be available for road maintenance and whether any financial contributions from the proposed development are sufficient to upgrade the roads likely to be affected.</p>	<p>(a) The proposed development has direct access to Westons Road, which is a public road which then turns into a private road (right-of-carriageway) that traverses through the subject property.</p> <p>The development therefore has coinciding legal and practical access.</p> <p>(b) The proposed cabins have been located close to Westons Road with only a short internal road required.</p> <p>(c) – (h) N/A.</p> <p>(i) Refer to Section 4.4.2 of the SEE.</p>



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<p><b>C3.1-2 Rights of Carriageway for Subdivision</b></p> <p>(a) Where access to the allotment is via an existing right of carriageway, the subdivision will only be permitted in exceptional circumstances as follows, where:</p> <ul style="list-style-type: none"> <li>- the subdivision is for large rural property where the cost of providing public road access would be prohibitive; or</li> <li>- the subdivision is in remote rural localities of the Shire.</li> </ul> <p>(b) Access may be provided by a vehicular right of carriageway for development involving subdivision of land into up to five (5) additional residential lots (or development where traffic generation has a similar or greater impact) if:</p> <ul style="list-style-type: none"> <li>- the right of carriageway is constructed to a standard approved by the Council; and</li> <li>- where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained.</li> </ul> <p>(c) Access may be provided by a vehicular right of carriageway for new development (other than that referred to in sub-clauses a) and b) above) where traffic will have a minimal impact if:</p> <ul style="list-style-type: none"> <li>- the right of way is constructed to a standard agreed to by Council; and</li> <li>- where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained.</li> </ul> <p>(d) If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below).</p> <p>(e) The right of carriageway in non-urban areas is to be a minimum of twenty (20) metres wide.</p> <p>(f) Construction and maintenance of the right of carriageway is the responsibility of the landowner and is to be in accordance with Councils development design and construction specifications.</p> <p>(g) Council may require a Deed of Agreement for the operation, management and maintenance of the right of carriageway.</p>	<p><i>Not applicable.</i></p>

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<p><b>C3.1-3 Public Roads</b></p> <p>(a) Where subdivision results in six (6) or more additional allotments, the access shall be by way of a public road.</p> <p>(b) Where a new road is to be constructed or an existing road is to be utilised for addition allotment access, it shall be constructed in accordance with Councils development design and construction specifications for access and subdivision on the following basis:</p> <ul style="list-style-type: none"> <li>- Two Lane Gravel Road – any road likely to be extended or form part of a through road and “no through roads” servicing six (6) to ten (10) allotments and not in a R5 Large Lot Residential Zone.</li> <li>- Two Lane Bitumen Road – any road servicing more than ten (10) allotments.</li> </ul> <p>Council may also require this type of road for short lengths of road which connect with an existing sealed road or which are over a gradient of 10%.</p> <p>(c) If the subdivision will result in six (6) or more lots in the R5 Large Lot Residential Zone, each lot is to be linked by a 2 lane bitumen sealed road to the nearest urban centre, constructed to Council's approved standards.</p> <p>(d) If the subdivision will result in six (6) or less lots in the R5 large Lot Residential Zone, each lot is to be linked to the nearest public road by a two lane road suitable for two wheel drive vehicles, constructed to Council's development design and construction specifications.</p> <p>(e) Where development (including subdivision) front existing public roads, and where the existing public road is unconstructed or is not constructed to a satisfactory standard for the proposed development (e.g. not presently maintained by Council), the full cost of upgrading that road is to be borne by the developer. This requirement may also apply to subdivision's that require the construction or upgrading of existing public roads to give access to the subdivision.</p> <p>(f) Each lot is to be provided with an adequate all weather access to enable satisfactory vehicular passage from the public road into the individual allotment. This will generally require gravelling from the road shoulder to the boundary and in most cases will require the provision of a piped gutter crossing in accordance with Council's specification for property accesses.</p> <p>(g) Each lot to be created must include vehicular access that will be flood free in the event of a 1:50 year probability flood occurring.</p> <p>(h) The location of the individual access points are to be nominated by the developer and subject to approval of, and meeting the standards established by the Director Technical Services and Operations, having regard to road drainage requirements and sight distance.</p>	<p><i>Not applicable.</i></p>
<p><b>C3.1-4 Development Fronting Main or Arterial Roads</b></p> <p>(a) Where development is proposed land which: fronts a classified or arterial road; or relies solely on a classified or arterial road for its access; or has access to a road which intersects with a classified or arterial road, where the point of access is within 90 metres of the intersection of the road and the classified or arterial road, the following must be considered:</p> <ul style="list-style-type: none"> <li>- whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the classified or arterial road;</li> <li>- access points and on-site management plans for vehicle movement and parking;</li> <li>- the effect the development will have on future improvements or realignment of the classified or arterial road.</li> </ul>	<p><i>Not applicable.</i></p>

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<p><b>C3.1-5 Adequacy of Access</b></p> <p>(a) The standard of all weather access roads to the development is to adequately cater for existing and potential traffic.</p> <p>(b) The road reserve width is to be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users and acting as a buffer from traffic nuisance for residents.</p> <p>(c) The carriageway width is to allow vehicles to proceed safely at the operating speed intended for that road.</p> <p>(d) The design of intersections is to allow all movement to occur safely and projected traffic volumes are to be used in designing all intersections.</p> <p>(e) All intersections and vehicular entrances are to satisfy the relevant design standards published by the Roads and Maritime Authority.</p> <p>(f) Access is designed in accordance with the design criteria set out in the Aust Roads Guide to Road Design and the Council's Development Design and Construction Specifications.</p>	<p><i>The proposed cabins have been designed close to Westons Road with a short internal all-weather driveway to be constructed along the contour of the land, just below the road.</i></p>
<p><b>C3.1-6 Minimising Impacts</b></p> <p>(a) Consideration is to be given to the impact the traffic associated with the proposed development will have on existing roads, road safety and other road users.</p> <p>(b) Physical impact on the environment and on the visual landscape are to be minimised through site planning and design.</p> <p>(c) Car parking areas and access roads to be designed, surfaced and sloped to facilitate stormwater infiltration on-site.</p> <p>(d) Access roads are not to exceed 12% slope and are to be designed to work with the contours of the land (minimising cut and fill).</p> <p>(e) Access roads are not to proceed through rock outcrops, natural features or existing vegetation stands and are not to be located on prominent hill faces or ridgelines.</p> <p><u>Note:</u> Refer to Planning for Bush Fire Protection 2006 (PBP) at <a href="http://www.rfs.nsw.gov.au">www.rfs.nsw.gov.au</a> for any special access requirements related to developments within Bush Fire Prone Land (Refer Chapter C7 – Natural Hazard Management).</p>	<p><i>The use of the existing access road and location of the internal driveway servicing the proposed cabins is relatively flat (&lt;10 degrees) and avoids rocky outcrops, vegetation stands and is not located on a prominent hill or ridgeline.</i></p>

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Snowy River Development Control Plan 2013	
C8 Environmental Management	
1. Minimising Conflicts	
Control	Comment
<p><b>C8.1-1 Minimising Conflicts</b></p> <p>(a) Locate residential, eco-tourist facilities and tourist and visitor accommodation to minimise land use conflicts between other land uses in rural areas including agriculture, intensive agriculture and extractive industries.</p> <p>(b) Where proposed residential or tourist based development adjoins or is in the vicinity of existing agriculture, intensive agriculture or extractive uses, the development application must be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.</p> <p>(c) In assessing development adjoining the existing uses, the Council must:</p> <ul style="list-style-type: none"> <li>Consider whether or not the development is likely to have a significant impact on the use that, in the opinion of the Council having regard to land use trends, is likely to be the preferred use of the land in the vicinity of the development.</li> <li>Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility.</li> <li>Design and site the development in a way to minimise land use conflicts between other uses including existing residential development.</li> </ul> <p>(g) Where proposed tourist and visitor accommodation or eco-tourist facility development adjoins or is in the vicinity of existing residential development, the development application is to be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.</p> <p>(h) In assessing development adjoining the existing residential uses, the Council must consider whether or not the development is likely to have a significant impact on the residential uses including increased vehicle movement and noise</p>	<p><i>The proposed cabins are located sufficiently away from adjacent properties and is a complimentary land use with the locality.</i></p>
3. Land Management – Erosion, Sediment & Stormwater Control	
Control	Comment

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Snowy River Development Control Plan 2013	
<b>C8.3-1 Erosion &amp; Sediment Control</b>  (a) Measures are to be implemented during development construction to ensure that the land form is stabilised and erosion is controlled and that water quality in streams and lakes downstream of the development site is protected.  (b) Systems are designed to optimise the interception, detention and removal of waterborne pollutants prior to discharge to receiving waters.  (c) Vegetated riparian buffers to waterways are to be maintained.  (d) A development application is to be accompanied by a stormwater and soil management plan demonstrating: <ul style="list-style-type: none"> <li>• how sedimentation and erosion of fill and soil is to be managed on the site; and</li> <li>• development adjacent to the bank or the bed of a watercourse, addressed the environmental impact on the receiving waters.</li> </ul> (e) Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties or to create worsening effect on adjoining properties.  (f) All disturbed areas are to be re-stabilised and re-vegetated as soon as practicable.  (g) Landscaping is to use native species suitable to the locality and with consideration of bush fire requirements [Refer Recommended Landscaping Species – Appendix C5-1].	<i>Standard erosion and sediment controls will be required as part of the construction management of the cabins as addressed in the Construction Management Plan provided in Appendix B.</i>
<b>C8.3-2 Slopes &amp; Batters</b>  (a) Cut and fill within sites are to be sensitively treated through gentle slopes and adequate stability to avoid erosion and slippage.  (b) Where the foundation strata of the area permits slopes in excess of 1:3, and where supported by technical documentation prepared by a suitably qualified professional, steeper slopes will be considered.	<i>The proposed cabins are located on a modest north-east slope where cut and fill can be adequately managed.</i>
<b>4. Weed Management</b>	
<b>Control</b>	<b>Comment</b>
<b>C8.4-1 Weed Management</b>  (a) Development should occur in a manner that does not increase the potential for, or result in, the spread of noxious weeds.  (b) Where development is to be located on a property with a current weed notice or history of weed notices, a weed management plan is to accompany the development application. The weed management plan must identify: weeds to be controlled and in what area they are to be controlled; and timeframe and method of control to be employed.	<i>This can form a condition of consent.</i>
<b>5. Ecological Impacts</b>	
<b>Control</b>	<b>Comment</b>

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Snowy River Development Control Plan 2013	
<p><b>C8.5-1 Ecological Impacts</b></p> <p>(a) The development is to minimise any impact on the local ecology including water quality, aquatic habitats and fish passage.</p> <p>(b) Where development may have an impact on threatened species, populations or ecological communities (including development on land significant for flora and fauna), an Assessment of Significance (AOS) is to be undertaken. Where it is found that there would be a significant impact on threatened species, their habitats or endangered ecological communities a Species Impact Statement (SIS) would be required.</p> <p><u>Note:</u> if a Species Impact Statement is required, the Office of Environment and Heritage will have a statutory role in concurrence of the development.</p> <p>Council will review an AOS as part of its determination of a development application and use the information provided to determine if the applicant has justified the level of impact by:</p> <ul style="list-style-type: none"> <li>- Avoiding the impact where possible;</li> <li>- Minimising the impact where it can not be avoided;</li> <li>- Offsetting the remaining impact after it has been minimised to the greatest extent possible.</li> </ul>	<p><i>Refer to Section 4.1 of the SEE.</i></p>
C9 Energy & Water Efficiency, Water Supply & Effluent Disposal	
2. Water Supply	
Control	Comment
<p><b>C9.2-2 Domestic or Potable Water Availability</b></p> <p>The following controls apply to development on sites where the connection to reticulated town water supply is not available.</p> <p>(a) Sufficient domestic or potable water for the proposed development is to be provided by rainfall collected in on-site rainwater tanks and stored.</p> <p>(b) For domestic purposes the sizing of tanks for rainwater supply shall be 100KL for a 4 person household with a minimum roof catchment area of 400m<sup>2</sup> or in accordance with the National Health document titled 'Guidance on the use of Rainwater Tanks' (2004).</p>	<p><i>Water supply for the cabins will be derived from rainfall collected on the roofs and stored within a 10,000L tank, connected to a larger 100,000L holding tank.</i></p>
<p><b>C9.2-5 Bush Fire Fighting Water Availability</b></p> <p>(a) Sufficient water is to be available for bush fire fighting purposes at all times.</p> <p>(b) The proposed development is to provide a supply of water dedicated permanently to fire fighting, in accordance with the requirements of the NSW Rural Fire Service Planning for Bushfire Protection Manual 2006.</p>	<p><i>The proposed cabins will be serviced with a separate static supply for firefighting purposes within a 10,000L tank.</i></p>
3. Effluent Disposal	



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Snowy River Development Control Plan 2013	
<p><b>C9.3-1 General Controls</b></p> <p>(a) New allotments smaller than 2 hectares in area and allotments within 2 kilometres of the reach of the Council's sewage treatment system are encouraged to be connected to the Council's sewerage system.</p> <p>(b) Where connection to Council's reticulated sewerage system is not available and on-site effluent disposal is proposed, an analysis of soil suitability and topography demonstrating that the land is suitable for on-site effluent disposal is to be provided.</p> <p>(c) New allotments for residential development which are not connected to Council's sewerage system must demonstrate that there are suitable dwelling sites which are not affected by flooding, or seasonal high water table.</p> <p>Note: where development is connecting to Council's sewerage system, the relevant Council standards and guidelines will apply and consultation with Council is required.</p>	<p><i>The proposed cabins will be connected to a series of on-site effluent systems located below the cabins sites, above the native trees below, well away from any watercourse on a north-east facing slope.</i></p>

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Snowy River Development Control Plan 2013	
E1 Tourist Development	
4. Eco-tourist Facility	
Control	Comment
<b>E1.3-1 Design of Eco-Tourist Facility</b> (a) The development is to be designed to utilise building materials that blend in with the surrounding landscape, promoting the use of recycled materials and materials sourced from the region. (b) The development is to maximise energy efficiency and use a minimum of non-renewable energy. (c) The development is to be designed on the basis of ecological sustainability and an understanding of the potential environmental impacts. (d) Any buildings and infrastructure is not to dominate the visual landscape and is to be compatible with the local cultural character.	<p><i>The proposed development has been designed to maximise energy efficiency through the passive solar design principles applied and use of renewable energies including solar. The development has been founded on sustainability principles and has identified and addressed any potential environmental impacts.</i></p> <p><i>The development has been designed and located so that the cabins do not dominate the visual landscape and scenic character of the area.</i></p>
<b>E1.3-2 Operation of Eco-Tourist Facility</b> (e) An eco-tourist facility that accommodates over 15 guests must be centrally managed by on-site management with all structural and land components being the responsibility of one management whether or not individual structures are owned by different entities. (f) Where a manager's residence is provided as part of an eco-tourist facility, an existing or proposed dwelling is to operate as the manager's residence (where possible). (g) Only one manager's residence is permitted on land on which the eco-tourist facility is proposed. (h) The eco-tourist facility must operate on a year-round basis. (i) Eco-tourist facility accommodation must be used solely for the provision of temporary holiday accommodation (no more than three [3] consecutive months).	<p><i>The four [4] cabins will be able to accommodate a maximum of fifteen [15] guests.</i></p> <p><i>The proposed development includes a Managers Residence for on-site management.</i></p> <p><i>The proposed development has been founded on being a year-round operation, not dependent on winter or snow.</i></p> <p><i>The cabins are to be used for short-term holiday accommodation, not to be used more than three [3] consecutive months as required.</i></p>
<b>E1.3-3 Nature of Eco-Tourist Facility</b> (a) The development may contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area. (b) The development will provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.	<p><i>The development is located within the Crackenback locality, a tourism hub. The development is also located within 20 minutes of Kosciuszko National Park and Lake Jindabyne, where the natural and cultural history of the area can be learned and appreciated.</i></p> <p><i>Through passive and active activities available on the site and locality, including bush walking, mountain biking and horse riding, visitors will be provided opportunities to experience the nature and culture of the area, its setting and locality.</i></p>
<b>E1.3-4 Car Parking</b> (a) Adequate on-site car parking and bus parking and manoeuvrability is to be provided to cater for the peak use of the facility. (Refer to Chapter C3 Car Parking & Access for parking rates and design) (b) The development application may be required to be supported by a traffic assessment prepared by a suitably qualified traffic engineer demonstrating that adequate parking is provided for the peak use of the facility.	<p><i>Each cabin will be provided with either a covered carport and an open space, able to accommodate one [1] vehicle in accordance with parking rates and design requirements in Chapter C3 of the DCP.</i></p>

Eco-tourist Facility, Westons Road, Crackenback SR DCP 2013 – Assessment Table

Snowy River Development Control Plan 2013	
<p><b>E1.3-5 Access for Persons with a Disability</b>            (a) Reasonable provision within the building and access areas is to be made for movement and circulation for people with disabilities.            (b) The development must demonstrate consistency with the provisions of the Disability Discrimination Act 1992 (Commonwealth).            (c) The development must comply with the Building Code of Australia with respect to access and circulation for persons with a disability.</p>	<p><i>Access for persons with a disability will be provided in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010 (the Premises Standards).</i></p> <p><i>Consideration of the Premises Standard only occurs at the Construction Certificate stage, when the building is required to be assessed in accordance with the Building Code of Australia.</i></p>
<p><b>E1.3-6 Waste Management</b>            (a) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements.            (b) Waste management is to be based on the principles of waste avoidance and maximising reuse and recycling of materials.            (c) Details of the waste management strategy for the eco-tourist facility (both construction and operational phases) must be submitted to Council when a Development Application is lodged. (Refer to Chapter A2 Development Application Requirements).</p>	<p><i>Construction waste will largely be managed as identified in the CEMP provided in Appendix B.</i></p> <p><i>Through the principles of waste minimisation &amp; recycling, the operational management of the development will further result in waste being appropriately minimised and managed. This can be achieved by applying the below waste reducing actions:</i></p> <ul style="list-style-type: none"> <li><i>• Implement recycling in all areas of the cabin/s.</i></li> <li><i>• Provide ample recycling bins and fewer waste bins, encouraging guests and staff to recycle rather than trash waste.</i></li> <li><i>• Purchase products with minimal or reusable packaging.</i></li> <li><i>• Replace disposable items with reusable ones, such as refillable soap and shampoo containers.</i></li> <li><i>• Compost organic wastes, including food and garden cuttings.</i></li> <li><i>• Use environmentally friendly cleaning and gardening supplies.</i></li> <li><i>• Inform staff and guests of waste reduction goals.</i></li> <li><i>• Monitor and measure waste and recycling levels.</i></li> </ul>



Received  
SNOWY MONARO REGIONAL COUNCIL  
29/1/2021.

## BUSHFIRE ASSESSMENT

**ECO-TOURIST FACILITY  
FOUR (4) CABINS + MANAGERS RESIDENCE  
WESTONS ROAD, CRACKENBACK  
LOT 402 DP 841251**



**JANUARY 2021**

**Project: 51-20**

**Dabyne Planning Pty Ltd**

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## GLOSSARY

<b>APZ</b>	Asset Protection Zone
<b>AS 3959</b>	Australian Standard 3959:2018 Construction of buildings in bushfire prone areas
<b>BCA</b>	Building Code of Australia
<b>CC</b>	Construction Certificate
<b>DA</b>	Development Application
<b>EP&amp;A Act</b>	Environmental Planning Assessment Act
<b>FDI</b>	Fire Danger Index
<b>kW/m<sup>2</sup></b>	kilowatts per square metre (being a measure of radiant heat)
<b>PBP</b>	Planning for Bushfire Protection 2019
<b>RF Act</b>	Rural Fires Act 1997
<b>RFS</b>	NSW Rural Fire Service



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## 1. INTRODUCTION

### 1.1 Purpose

Dabyne Planning Pty Ltd has been engaged to undertake a Bushfire Assessment Report to accompany a Development Application for an Eco-tourist facility providing on-site tourist accommodation comprising of four (4) separate cabins comprising of three (3) x 2-bedroom cabins and one (1) x 1-bedroom cabin, to accommodate a maximum of fifteen (15) guests. The proposal also includes a two (2) bedroom managers residence to provide for on-site management of the facility.

The proposed development is located at Westons Road, Crackenback and the subject site is legally described as Lot 402 DP 841251, which forms part of a larger property.

The development, its associated access and APZ is not located within any bushfire prone land (inc buffer), however the site is located within an allotment that includes bushfire prone land.

Therefore, this report has been prepared in accordance with Section 4.47 of the Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979), and Section 100B of the NSW Rural Fires Act 1997 (RF Act, 1997) and based on the Planning for Bushfire Protection 2019 Guidelines (PBP).

### 1.2 Background

In January 2019, development consent for a dual occupancy dwelling comprising of two detached three (3) bedroom dwellings as well as a subdivision (4 lots into 2 lots) was granted (DA 4023/2019).

Dwelling #1 was approved above Westons Road with a new driveway off the existing road and dwelling #2 was approved below Westons Road with a new driveway off the existing road.

The proposal also included a subdivision, which would result in the four (4) current lots; Lot 1 DP 1060997; Lot 402 DP 841251; Lot 2 DP 548207 & Lot 69 DP 756686 being amended into two (2) lots; Proposed Lot 1 at 103ha incorporating the detached dual occupancy and Proposed Lot 2 at 40ha, being a vacant lot.

An extract of the approved site plan is provided below.

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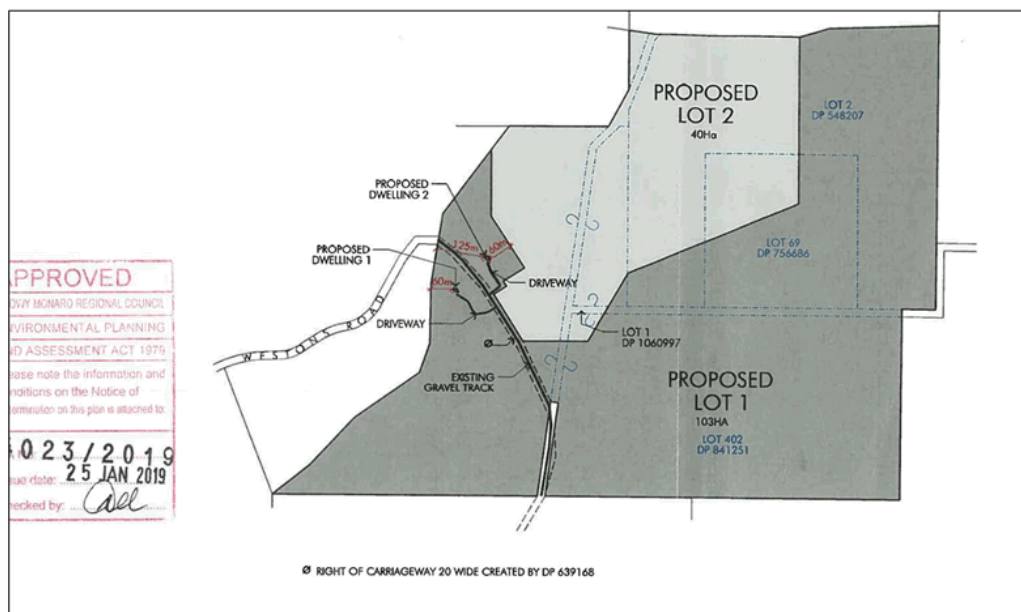


Figure 1: Approved Site Plan under DA 4023/2019

In December 2020, a S.4.55 Modification Application was lodged (MOD # 10.2019.3004023.2) in relation to amending the approved location of dwelling #2 as well as a minor change to the boundary location between proposed lots 1 & 2.

The proposed modifications will result in the approved dwelling #2 being located above Westons Road, on the same side as approved dwelling #1, approximately 42m to its south.

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*Figure 2: Proposed modified Dwelling #2 site (orange rectangle)*

The proposed boundary changes will result in a minor change in the shape of each allotment but retain the same size for each allotment.

The relocation of the approved dwelling and minor boundary change will allow for the subject eco-tourist facility development to proceed within the amended proposed Lot 2.

### 1.3 Site Description

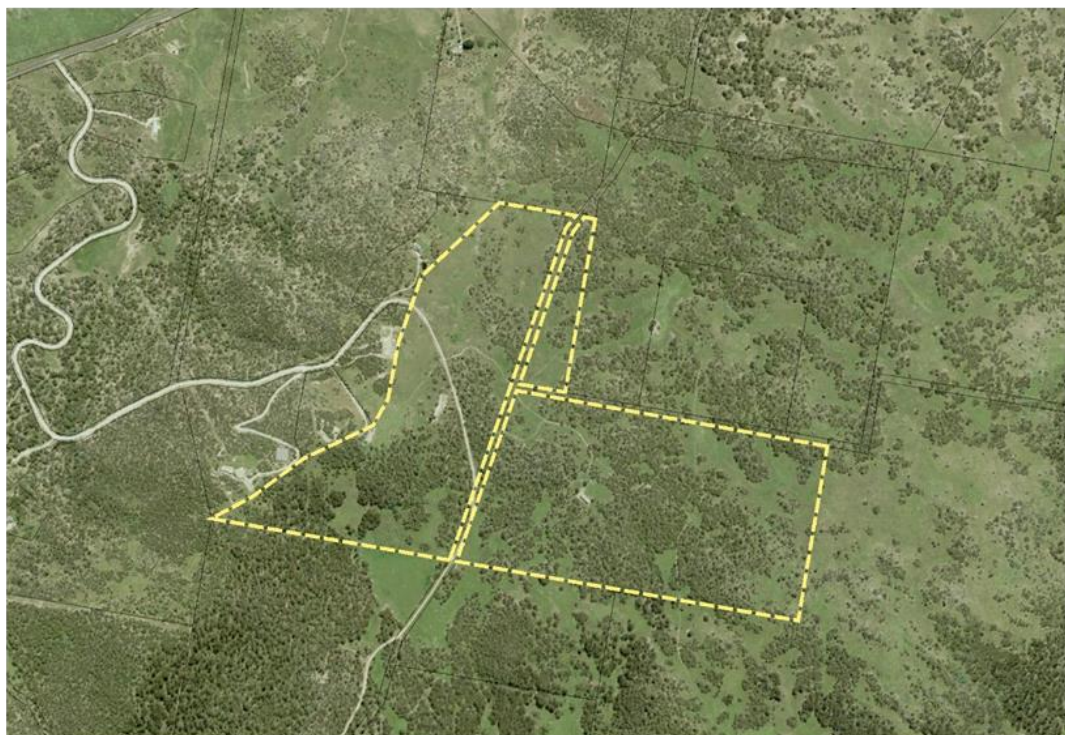
The subject site is located approximately 6km south-west of the Jindabyne township, 2.5km along Westons Road, within the Crackenback locality.

The subject property currently includes four lots, comprising of Lot 1 DP 1060997, Lot 402 DP 841251, Lot 2 DP 548207 & Lot 69 DP 756686.

The lots are located on Westons Road and have a combined area of 143.3 hectares.

The subject site, where the proposed development is located is within Lot 402 DP 841251, which will be changed as part of the approved subdivision under DA 4023/2019, as modified by MOD# 10.2019.3004023.2. Current Lot 402 is shown in the aerial map provided by Council in figure 3 below.

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*Figure 3: Aerial plan of the subject site*

The lot is currently vacant, except for farming infrastructure including sheds and stables.

The land generally slopes to the east from 1300m in elevation down to 1160m with only a 1<sup>st</sup> order intermittent watercourse being an upper tributary of Casley's Springs located within lot 402 as shown in figure 4 below.



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*Figure 4: Topographic Map showing the subject site*

The subject site, particularly the western areas of lot 402 adjacent to Westons Road are mostly cleared and have been grazed over an extensive time.

Access to the site is via Westons Road a public road, and then via a right-of-carriageway over the subject site.

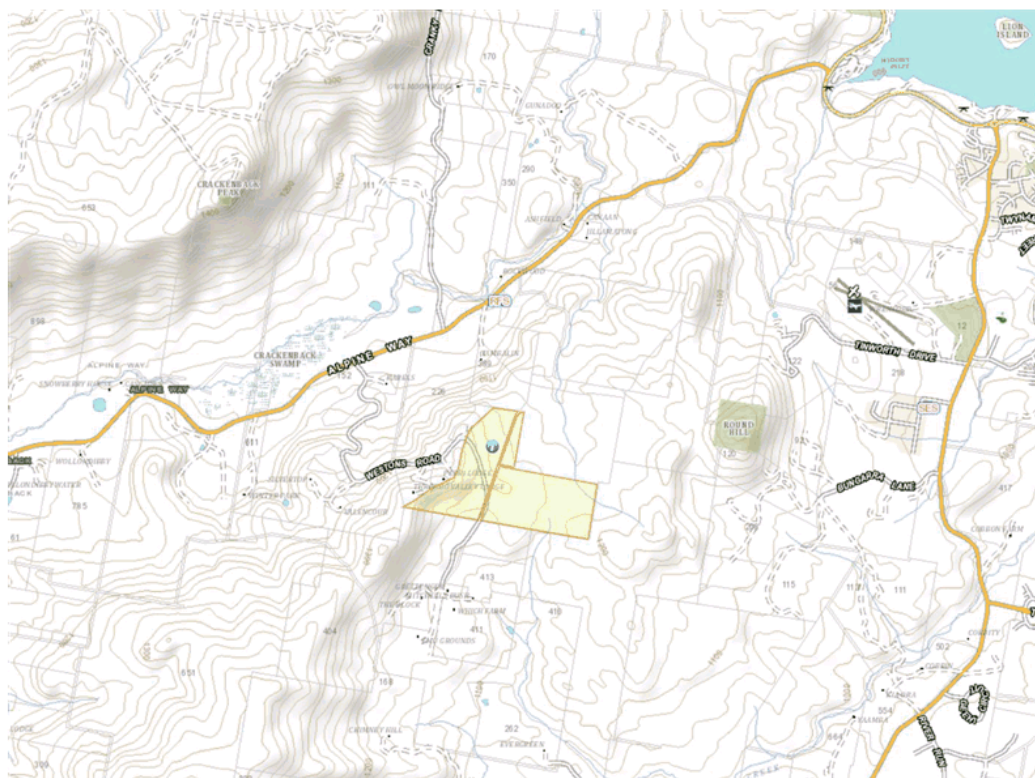
The location of the proposed cabins and managers residence are shown in Appendix A and illustrated in figure 5 below.

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**Figure 5: Proposed cabin sites**

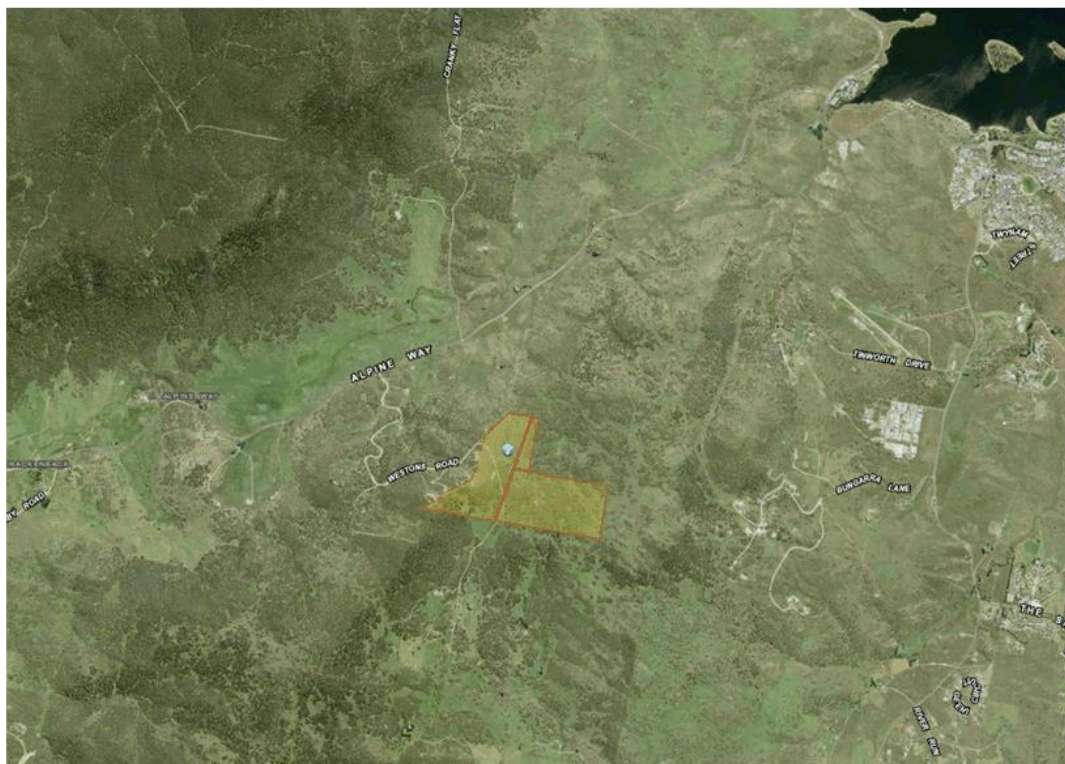
The subject site is illustrated in context with the locality in figures 6 & 7 below:



**Figure 6: Context of the subject site in the locality (topographical)**



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*Figure 7: Context of the subject site in the locality (aerial)*

Photos of the proposed cabin locations are provided in Appendix A.

#### 1.4 Bushfire Prone Land

The Bushfire Prone Land Map shows that areas located within the south-west corner of the allotment are mapped as comprising bushfire prone land, see below.

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*Figure 8: Proposed development site shown in context with the Bushfire Prone Land Map Extract*

## 1.5 Proposed Development

The proposal includes the construction of four (4) eco-tourist cabins, with three (3) cabins comprising of two (2) bedrooms and one (1) cabin comprising of a single bedroom in a single storey form.

The maximum capacity of the cabins is for fifteen (15) guests.

The proposal also includes a two (2) bedroom managers residence to provide for on-site management of the facility.

The development will be staged as follows:

Stage 1: Cabins A,B & M (Managers Residence)

Stage 2: Cabins C & D

The proposed cabins have been designed to orientate to the north-east to maximise thier view over Lake Jindabyne and for solar access. The cabins comprise of modern alpine architecture elements including skill roof forms and external materials that include Colorbond roof sheeting and wall cladding and aluminium framed windows.

The cabins are modest in size and single storey with cabins A,B & C including two bedrooms, one bathroom, a carport and a combined kitchen and living area, connected to a deck, with an external laundry.

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Cabin D is also single storey and includes one bedroom, one bathroom and a combined kitchen and living area, connected to a deck, with an external laundry.

The managers residence (M) is single storey and includes two bedrooms, one bathroom, and a combined kitchen and living area, connected to a deck, with an external laundry plus a carport.

A driveway will be constructed within the cleared land above the cabins with turning areas provided. All the cabins include a carport except for Cabin D which will be provided with on grade parking for at least one vehicle. All cabins each include a 10kL rainwater collection tank an additional tank of 100kL for storage. The managers residence will also be connected to a 10kL tank for firefighting.

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## 2. LEGISLATION

### 2.1 NSW Environmental Planning and Assessment Act 1979 and Rural Fires Act 1997

As identified above, the subject site includes patches of vegetation designated as bushfire-prone land and as the development is for an Eco-tourist facility, a form of 'tourist accommodation', the development is classed as being for a 'Special Fire Protection Purpose'.

The development application is therefore categorised as an Integrated Development under S.4.47 of the EP&A Act, 1979 and therefore requires a Bushfire Safety Authority from the NSW Rural Fire Service under S.100B of the RF Act, 1997.

Clause 46 of the Rural Fires Regulation 2002 sets out the matters that must be assessed in an application for a Bush Fire Safety Authority including a description of the property, classification of the vegetation, slope assessment, identification of significant environmental features, and details of threatened species and Aboriginal relic or place.

Clause 46(1)(g) of the Rural Fires Regulation 2002 specifies that a bushfire assessment for a proposed development must address the following matters:

- (i) the extent to which the development is to provide for setbacks, including asset protection zones,*
- (ii) the siting and adequacy of water supplies for fire fighting,*
- (iii) the capacity of public roads in the vicinity to handle increased volumes of traffic in the event of a bush fire emergency,*
- (iv) whether or not public roads in the vicinity that link with the fire trail network have two-way access,*
- (v) the adequacy of arrangements for access to and egress from the development site for the purposes of an emergency response,*
- (vi) the adequacy of bush fire maintenance plans and fire emergency procedures for the development site,*
- (vii) the construction standards to be used for building elements in the development, and*
- (viii) the adequacy of sprinkler systems and other fire protection measures to be incorporated into the development.'*

This Bushfire Assessment Report has been undertaken in accordance with the requirements stipulated above, where considered relevant in context of the proposed development.

### 2.2 Planning for Bushfire Protection 2019

The NSW Rural Fire Service 'Planning for Bushfire Protection, 2019: A Guide for Councils, Planners, Fire Authorities and Developers, November 2019' has been released and was adopted on the 1 March 2020.

The subject site is located within the Snowy River Shire area of Snowy Monaro Regional Council, which is located within the Monaro Alpine fire area, which has a corresponding FDI of 80.

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## 3 METHODOLOGY

### 3.1 Site Inspection

A site inspection was undertaken by Dabyne Planning in December 2020 to determine the potential bushfire risks associated with the site. The guidelines for bushfire risk assessment as set out in PBP were used to determine the potential bushfire risks.

### 3.2 Vegetation Communities

The vegetation and plant communities within 140m of the existing building were determined by undertaking a site inspection and consulting PBP and the vegetation types identified in *'Ocean Shores to Desert Dunes'*, by Kieth (2004).

The classification under David Keith's *'Ocean Shores to Desert Dunes'* (used in PBP) were then converted to the 'Sprect' classifications using Table A3.5.1 in the Appendix 3 Addendum.

### 3.3 Slope

Slope affects the speed and intensity of bushfires, with steep upslopes carrying a greater hazard than flatter slopes or downslopes.

The slope assessment has been based on topographical maps, contour lines as well as an on-site inspection.

The effective slope has been determined by measuring the slope over a distance of at least 100m from the location of the proposed cabins towards the vegetation that provides the greater bushfire threat.

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## 4 VEGETATION CLASSIFICATION, SEPERATION & SLOPE ASSESSMENT

### 4.1 Vegetation Classification

The vegetation that forms the greatest bushfire hazard to the north-east, north and north-west of the subject site, as shown in the Bushfire prone land map in figure 8 above comprises of Grassy Woodlands and cleared paddocks comprising of disturbed vegetation, having been mostly cleared and disturbed.

This is further illustrated in the photos provided in Appendix A.

On this basis, Woodland vegetation will be used as the vegetation classification.

### 4.2 Slope Assessment

The effective slope over a distance of at least 100m from the location of the proposed cabins in relation to the vegetation that will form a hazard has been determined. The effective slope, being the slope under the greatest hazard has been assessed from each of the cabin buildings, downslope 100m and categorised as follows:

Cabin A:	North & North-east Downslope 5-10 degrees
Cabin B:	North-east Downslope 5-10 degrees
Cabin C:	North-east Downslope 5-10 degrees
Cabin D:	North-east Downslope 5-10 degrees
Managers Residence M:	North-east Downslope 5-10 degrees



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## 5. SIGNIFICANT ENVIRONMENTAL FEATURES

The Statement of Environmental Effects (SEE) that is submitted with the Development Application addresses the matters in respect to threatened species, populations, endangered ecological communities or critical habitat and Aboriginal heritage.

The SEE does not identify any significant environmental features that would need to be considered in context with this bushfire assessment report.

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## 6. BUSHFIRE ASSESSMENT

### 6.1 Special Fire Protection Purpose Developments

As stated above, the proposed development consists of the installation of four (4) cabins and one (1) managers residence to be constructed over two (2) stages.

The specific objectives for special fire protection purpose developments are to:

- *minimise levels of radiant heat, localised smoke and ember attack through increased APZ, building design and siting;*
- *provide an appropriate operational environment for emergency service personnel during firefighting and emergency management;*
- *ensure the capacity of existing infrastructure (such as roads and utilities) can accommodate the increase in demand during emergencies as a result of the development; and*
- *ensure emergency evacuation procedures and management which provides for the special characteristics and needs of occupants.*

In relation to Eco-tourism, the following commentary outlines particular matters for consideration.

- *Due to its focus on the natural environment and creating minimal impact, the principles of ecotourism and the establishment of APZs for bush fire mitigation are often in conflict. All relevant parties must accept that there is an increase for the potential for loss of structures due to the competing objectives to reduce the environmental footprints of these types of developments. The emphasis is therefore placed on emergency management, leaving early and non-operation on days of extreme or catastrophic fire weather.*
- *At least one building must be provided on site that can be used as a refuge for the maximum number of occupants on site. The building must have a minimum 10kW/m<sup>2</sup> APZ, be constructed to BAL-12.5 and have vehicular access. Cabins must be within a 100m walking distance of the refuge building.*

All the proposed cabins can incorporate the required Asset Protection Zones required for each building as they have been located within predominantly cleared land and setback sufficiently away from the current and modified boundaries.

Each cabin and managers residence will also be constructed to a BAL 12.5 construction level and will be located within 200m from a road. A separate refuge building is therefore not required as outlined further below.

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## 6.2 Standards for Bush Fire Protection Measures for Special Fire Protection Purpose Developments

### 6.2.1 Asset Protection Zones (APZs) and building construction

*Intent of measures: to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.*

An assessment of the proposal in accordance with the performance criteria and acceptable solutions for APZs and construction for SFPP development in accordance with Table 6.8a has been provided below.

APZs:			
Performance Criteria The intent may be achieved where:	Acceptable Solutions	Can Comply?	Comments
➤ radiant heat levels of greater than 10kW/ m <sup>2</sup> (calculated at 1200K) will not be experienced on any part of the building.	➤ the building is provided with an APZ in accordance with Table A1.12.1 in Appendix 1.	✓	Complies. See discussion below.
➤ APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	➤ APZs are located on lands with a slope less than 18 degrees.	✓	Complies.
➤ APZs are managed and maintained to prevent the spread of fire to the building.  ➤ the APZ is provided in perpetuity.	➤ The APZ is managed in accordance with the requirements of Appendix 4 of this document, and is wholly within the boundaries of the development site;	✓	To be conditioned.
	➤ APZ are wholly within the boundaries of the development site; and	✓	Complies.
	➤ other structures located within the APZ need to be located further than 6m from the refuge building.	✓	Complies.
<b>VARIATIONS:</b>  <b>Ecotourism:</b> radiant heat levels of greater than 10kW/m <sup>2</sup> (1200K) are not experienced by emergency service personnel and occupants during firefighting and emergency management around a building on site that can be used as a refuge.	➤ an APZ is provided in accordance with Table A1.12.1 in Appendix 1 of this document around the entire refuge building or structure.	N/A	Not applicable. The variation is not required as all proposed cabins provided the necessary APZ.

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<b>Landscaping:</b>			
➤ landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind-driven embers to cause ignitions.	➤ landscaping is in accordance with Appendix 4; and	✓	To be conditioned.
	➤ fencing is constructed in accordance with section 7.6.	N/A	No fencing is proposed.
<b>Construction Standards:</b>			
➤ the proposed building can withstand bush fire attack in the form of wind, embers, radiant heat and flame contact.	➤ a construction level of BAL-12.5 under AS 3959 or NASH Standard and section 7.5 of PBP is applied.	✓	All proposed cabins and managers residence are located more than 34m from the closest unmanaged vegetation and therefore require a BAL-12.5 construction. See discussion below.
<b>Variations:</b>			
➤ <b>Ecotourism:</b> the proposed refuge building can withstand bush fire attack in the form of wind, embers, radiant heat and flame contact	➤ a construction level of BAL-12.5 or greater is applied to the refuge building in accordance with AS 3959 or NASH Standard and 7.5 of PBP.	N/A	Not applicable. No refuge building required or proposed.
Ecotourism: occupants of the ecotourism facility are provided with appropriate shelter in the event of a bush fire	➤ a refuge building is provided;	N/A	Not applicable. No refuge building required or proposed.
	➤ the refuge building must have sufficient space for all occupants and comply with the occupancy levels permissible for that structure; and		
	➤ the refuge building must be constructed to BAL-12.5 or greater in accordance with AS 3959 or NASH Standard and 7.5 of PBP.		

#### APZ:

The location of each eco-tourist cabin has been chosen to comply with Table A1.12.1 in PBP, 2019, as provided below:

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**Table A1.12.1**

Minimum distances for APZs – SFPP developments ( $\leq 10\text{kW/m}^2$ , 1200K)

KEITH VEGETATION FORMATION	EFFECTIVE SLOPE				
	Up slopes and flat	>0°-5°	>5°-10°	>10°-15°	>15°-20°
Distance (m) from the asset to the predominant vegetation formation					
Rainforest	38	47	57	69	81
Forest (wet and dry sclerophyll) including Coastal Swamp Forest, Pine Plantations and Sub-Alpine Woodland	67	79	93	100	100
Grassy and Semi-Arid Woodland (including Mallee)	42	50	60	72	85
Forested Wetland (excluding Coastal Swamp Forest)	34	42	51	62	73
Tall Heath	50	56	61	67	72
Short Heath	33	37	41	45	49
Arid-Shrublands (acacia and chenopod)	24	27	30	34	37
Freshwater Wetlands	19	22	25	28	30
Grassland	36	40	45	50	55

#### Cabin A:

Direction	Vegetation Formation	Effective Slope	APZ Required: [Table A1.12.1]	APZ Proposed:
North-east	Woodlands	Downslope 5-10°	60m	100m+
East	Woodlands	Downslope 5-10°	60m	80m
North-west	Woodlands	Downslope 5-10°	60m	67m (to the north-west boundary)
South-east	Woodlands	Downslope 0-5°	50m	100m+
South-west	Woodlands	Upslope	42m	91m (to the amended boundary above the road)

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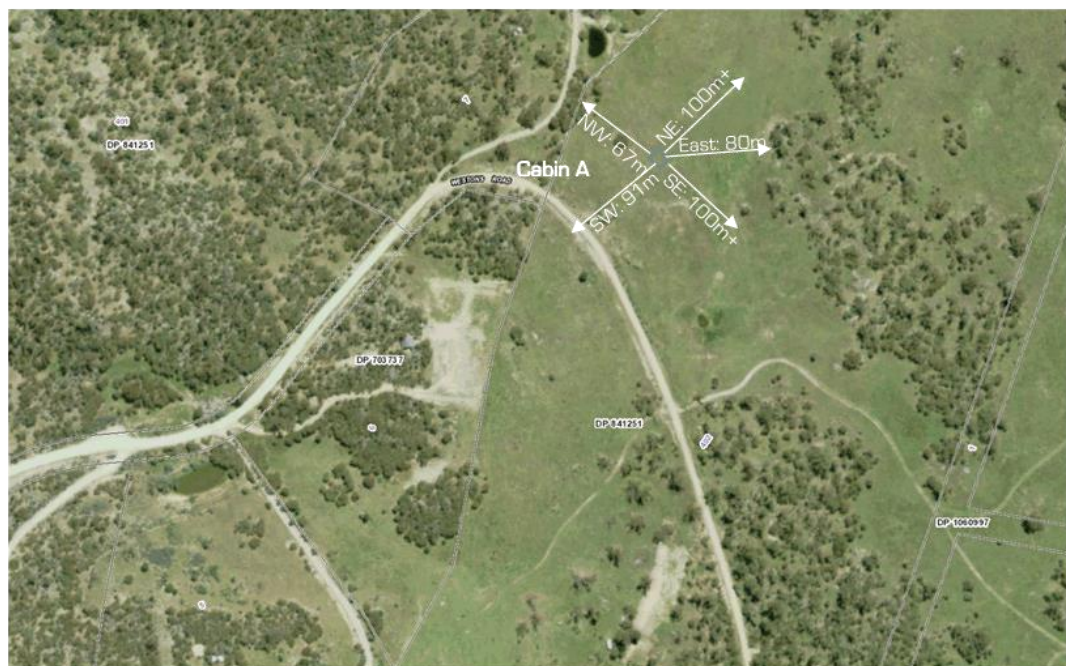


Figure 9: APZ Setbacks for proposed Cabin A

In accordance with Table A1.12.6, the recommended construction level for Cabin A is BAL-12.5.

**Cabin B:**

Direction	Vegetation Formation	Effective Slope	APZ Required: [Table A1.12.1]	APZ Proposed:
North-east	Woodlands	Downslope 5-10°	60m	70m
East	Woodlands	Downslope 5-10°	60m	68m
North-west	Woodlands	Downslope 5-10°	60m	90m (to the north-west boundary)
South-east	Woodlands	Downslope 0-5°	50m	100m+
South-west	Woodlands	Upslope	42m	87m (to the amended boundary above the road)



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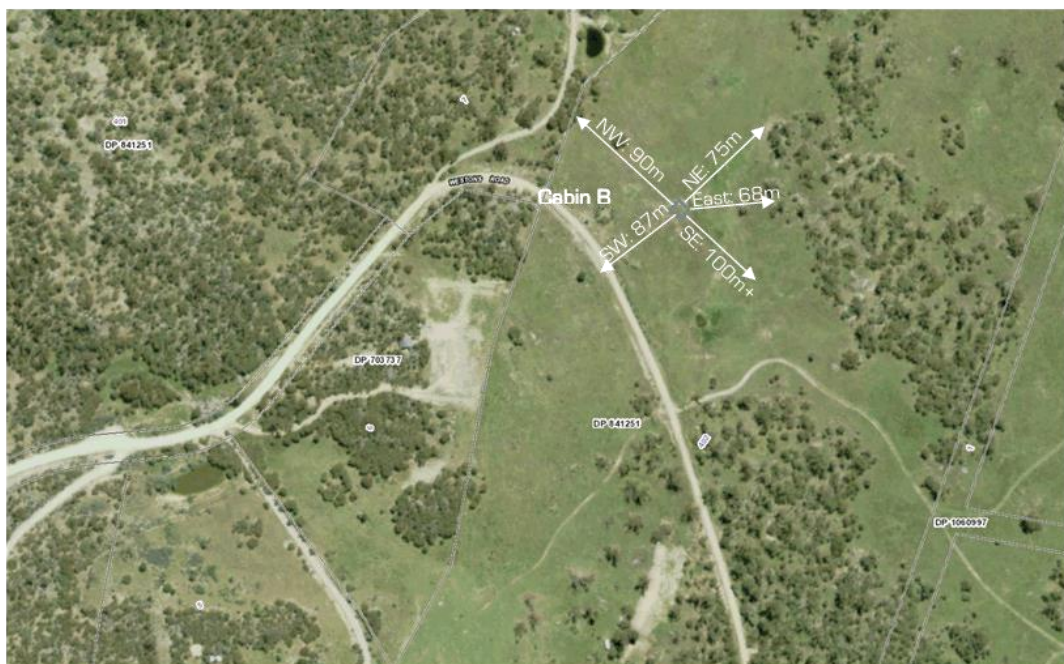


Figure 10: APZ Setbacks for proposed Cabin B

In accordance with Table A1.12.6, the recommended construction level for Cabin B is BAL-12.5.

**Cabin C:**

Direction	Vegetation Formation	Effective Slope	APZ Required: [Table A1.12.1]	APZ Proposed:
North-east	Woodlands	Downslope 5-10°	60m	70m
East	Woodlands	Downslope 5-10°	60m	74m
North-west	Woodlands	Upslope	42m	100m+
South-east	Woodlands	Downslope 0-5°	50m	67m
South-west	Woodlands	Upslope	42m	72m (to the amended boundary above the road)

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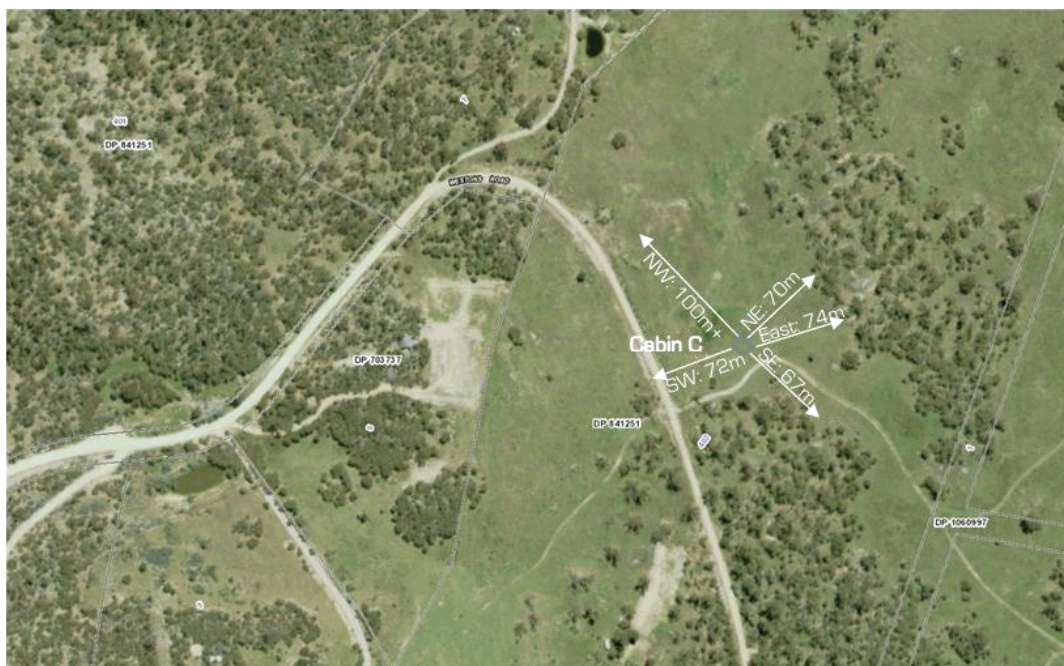


Figure 11: APZ Setbacks for proposed Cabin C

In accordance with Table A1.12.6, the recommended construction level for Cabin C is BAL-12.5.

**Cabin D:**

Direction	Vegetation Formation	Effective Slope	APZ Required: [Table A1.12.1]	APZ Proposed:
North-east	Woodlands	Downslope 5-10°	60m	90m
North-west	Woodlands	Upslope	42m	100m+
South-east	Woodlands	Downslope 0-5°	50m	55m
South-west	Woodlands	Upslope	42m	50m (to the amended boundary above the road)



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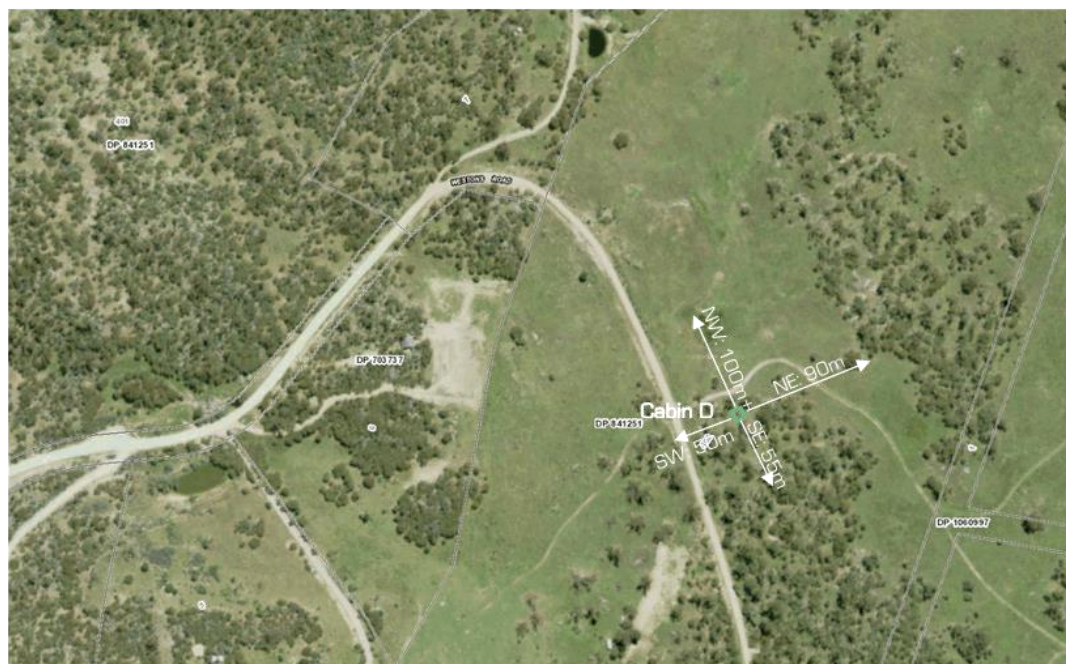


Figure 12: APZ Setbacks for proposed Cabin D

In accordance with Table A1.12.6, the recommended construction level for Cabin D is BAL 12.5.

All four (4) tourist cabins achieve compliance with Table A1.12.1 above, with the required APZ requiring very little vegetation clearing or management. All APZ's are located within the current and approved boundaries including the amended Proposed Lot 2 boundary.

#### **Managers Residence - Cabin M:**

The location of the managers residence has been chosen to comply with Table A1.12.3 in PBP, 2019, as provided below:

**Table A1.12.3**

Minimum distances for APZs - residential development, FFDI 80 areas ( $\leq 29\text{kW/m}^2$ , 1090K)

KEITH VEGETATION FORMATION	EFFECTIVE SLOPE				
	Up slopes and flat	>0°-5°	>5°-10°	>10°-15°	>15°-20°
	Distance (m) from the asset to the predominant vegetation formation				
Rainforest	9	12	15	20	25
Forest (wet and dry sclerophyll) including Coastal Swamp Forest, Pine Plantations and Sub-Alpine Woodland	20	25	31	39	48
Grassy and Semi-Arid Woodland (including Mallee)	11	13	17	21	27
Forested Wetland (excluding Coastal Swamp Forest)	8	10	13	17	22
Tall Heath	16	18	20	22	25
Short Heath	9	10	12	13	15
Arid-Shrublands (acacia and chenopod)	6	7	8	9	10
Freshwater Wetlands	5	6	6	7	8
Grassland	10	11	12	14	16

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Direction	Vegetation Formation	Effective Slope	APZ Required: [Table A1.12.3]	APZ Proposed:
North-east	Woodlands	Downslope 5-10°	17m	87m
North-west	Woodlands	Upslope	11m	100m+
South-east	Woodlands	Downslope 0-5°	13m	100m+
South-west	Woodlands	Upslope	11m	50m [to the amended boundary above the road]

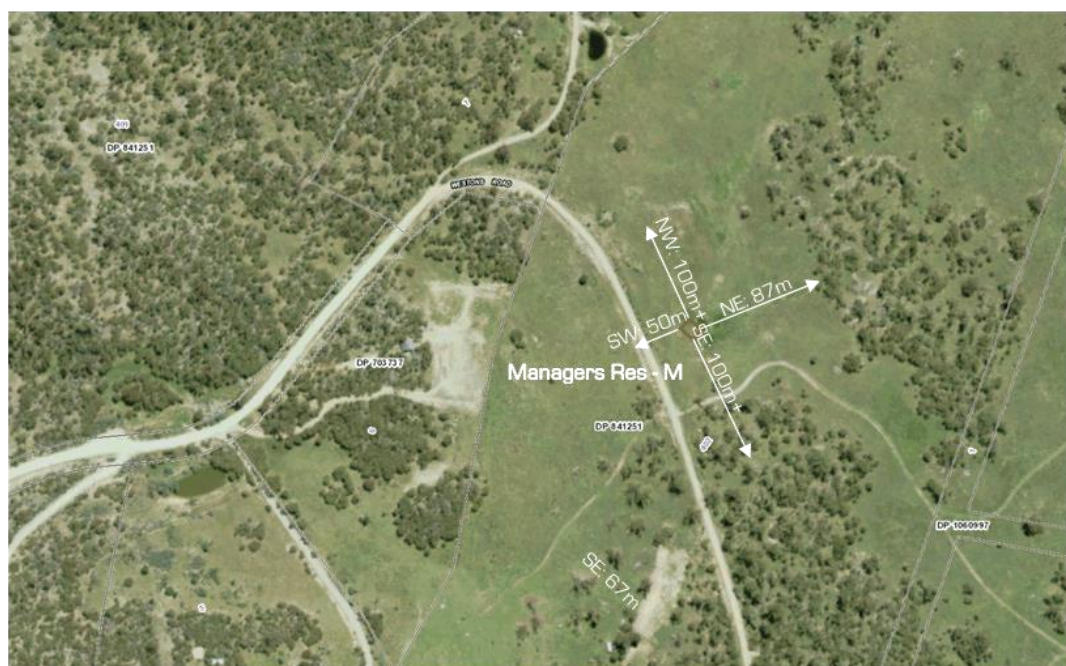


Figure 13: Proposed Managers Residence – M APZ Setbacks

In accordance with Table A1.12.6, the recommended construction level for the managers residence is BAL-12.5.

The proposed managers residence can achieve compliance with Table A1.12.3 above, with the required APZ requiring very little vegetation clearing or management. All APZ's are located within the current and approved (as modified) boundaries including the amended proposed Lot 2 boundary.

## 6.2.2 Access

**Intent of measures: to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.**

An assessment of the proposal in accordance with the performance criteria and acceptable solutions for APZs and construction for SFPP development in accordance with Table 6.8b has been provided below.

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<b>Access:</b>			
<b>Performance Criteria</b> The intent may be achieved where:	<b>Acceptable Solutions</b>	<b>Can Comply?</b>	<b>Comments</b>
➤ firefighting vehicles are provided with safe, all-weather access to structures and hazard vegetation.	➤ SFPP access roads are two-wheel drive, all-weather roads;	✓	The internal access road can be constructed as an all-weather road for two-wheel drive vehicles.
	➤ access is provided to all structures;	✓	Access is provided to all the proposed structures.
	➤ traffic management devices are constructed to not prohibit access by emergency services vehicles;	✓	No traffic management devices are required.
	➤ access roads must provide suitable turning areas in accordance with Appendix 3; and	✓	Turning circles are proposed.
	➤ one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression.	N/A	Not applicable. No public access road proposed or required.
<b>Variations:</b> ➤ <b>Ecotourism:</b> fire fighting vehicles are provided with safe, all-weather access to the proposed refuge building.	➤ vehicular access is provided to the refuge building from a public road in accordance with property access requirements of Table 5.3b;	N/A	Not applicable. No refuge building proposed or required.
	➤ accommodation is within 100m of the refuge building; and		
	➤ pedestrian paths from accommodation to the refuge building/s are provided and clearly signposted		
➤ the capacity of access roads is adequate for firefighting vehicles.	➤ the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways are to clearly indicate load rating.	N/A	No bridges or causeways are located within the road.
➤ there is appropriate access to water supply.	➤ hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;	N/A	Not applicable.
	➤ hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005; and	N/A	Not applicable.
	➤ there is suitable access for a Category 1 fire appliances to within 4m of the static water supply where no reticulated supply is available.	✓	Can comply.



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Perimeter Roads:			
➤ perimeter access roads are designed to allow safe access and egress for firefighting vehicles while occupants are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface.	➤ there are two-way sealed roads;	N/A	Not applicable. No perimeter road required.
	➤ minimum 8m carriageway width kerb to kerb;	N/A	Not applicable. No perimeter road required.
	➤ parking is provided outside of the carriageway width;	N/A	Not applicable. No perimeter road required.
	➤ hydrants are to be located clear of parking areas;	N/A	Not applicable. No perimeter road required.
	➤ there are through roads, and these are linked to the internal road system at an interval of no greater than 500m;	N/A	Not applicable. No perimeter road required.
	➤ curves of roads have a minimum inner radius of 6m;	N/A	Not applicable. No perimeter road required.
	➤ the maximum grade road is 15 degrees and average grade of not more than 10 degrees;	N/A	Not applicable. No perimeter road required.
	➤ the road crossfall does not exceed 3 degrees; and	N/A	Not applicable. No perimeter road required.
	➤ a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.	N/A	Not applicable. No perimeter road required.
	➤ the road crossfall does not exceed 3 degrees; and	N/A	Not applicable. No perimeter road required.
	➤ a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.	N/A	Not applicable. No perimeter road required.

### 6.2.3 Services – Water, gas & electricity

***Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.***

An assessment of the proposal in accordance with the performance criteria and acceptable solutions for APZs and construction for SFPP development in accordance with Table 6.8c has been provided below.

Water Supply:			
Performance Criteria	Acceptable Solutions	Can Comply?	Comments
The intent may be achieved where:			
➤ an adequate water supply for firefighting purposes is installed and maintained.	➤ reticulated water is to be provided to the development, where available; or	N/A	Reticulated water is not available.



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	➤ a 10,000 litres minimum static water supply for firefighting purposes is provided for each occupied building where no reticulated water is available.	✓	A 10,000 tank for static water supply for firefighting is proposed, adjacent to the managers residence.
➤ water supplies are located at regular intervals.	➤ fire hydrant spacing, design and sizing comply with the relevant clauses of AS 2419.1:2005;	N/A	Not relevant to the proposed works.
➤ the water supply is accessible and reliable for firefighting operations.	➤ hydrants are not located within any road carriageway; and	N/A	Not relevant to the proposed works
	➤ reticulated water supply to SFPPs uses a ring main system for areas with perimeter roads.	N/A	Not relevant to the proposed works
➤ flows and pressure are appropriate.	➤ fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005	N/A	Not relevant to the proposed works
➤ the integrity of the water supply is maintained.	➤ all above-ground water service pipes external to the building are metal, including and up to any taps.	N/A	Not relevant to the proposed works
➤ water supplies are adequate in areas where reticulated water is not available.	➤ a connection for firefighting purposes is located within the IPA or non hazard side and away from the structure; a 65mm Storz outlet with a ball valve is fitted to the outlet;	✓	Proposed tank located within the IPA on the non-hazard side, above the managers residence.  Storz outlet and valve requirements to be conditioned.
	➤ ball valve and pipes are adequate for water flow and are metal;	✓	To be conditioned.
	➤ supply pipes from tank to ball valve have the same bore size to ensure flow volume;	✓	To be conditioned.
	➤ underground tanks have an access hole of 200mm to allow tankers to refill direct from the tank;	N/A	Not applicable. No underground tanks proposed.
	➤ a hardened ground surface for truck access is supplied within 4m of the access hole;	✓	To be conditioned.
	➤ above-ground tanks are manufactured from concrete or metal;	✓	Metal tanks proposed.
	➤ raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber [see Appendix F AS 3959];	N/A	Not applicable. No raised tanks proposed.
	➤ unobstructed access is provided at all times;	✓	Unobstructed access is proposed.

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	➤ tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters; and	✓	Tank is located on the high side, away from the hazard side of the building.
	➤ underground tanks are clearly marked,	N/A	Not applicable. No underground tanks proposed.
	➤ all exposed water pipes external to the building are metal, including any fittings;	✓	To be conditioned.
	➤ where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; Any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and	✓	To be conditioned.
	➤ fire hose reels are constructed in accordance with AS/NZS 1221:1997 <i>Fire hose reels</i> , and installed in accordance with the relevant clauses of AS 2441:2005 <i>Installation of fire hose reels</i> .	✓	To be conditioned.
<b>Electricity Services:</b>			
➤ location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	➤ where practicable, electrical transmission lines are underground;	N/A	No mains electricity is required. Power to be supplied by solar power and back generators.
	➤ where overhead, electrical transmission lines are proposed as follow:  - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and  - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 <i>Guideline for Managing Vegetation Near Power Lines</i> .	N/A	No mains electricity is required. Power to be supplied by solar power and back generators.
<b>Gas Services:</b>			
➤ location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	➤ reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;	✓	To be conditioned.
	➤ all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;	✓	To be conditioned.

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	➤ connections to and from gas cylinders are metal;	✓	To be conditioned.
	➤ if gas cylinders need to be kept close to the building, safety valves are directed away from the building and at least 2m away from any combustible material, so they do not act as a catalyst to combustion;	✓	To be conditioned.
	➤ polymer-sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used; and	✓	To be conditioned.
	➤ above-ground gas service pipes external to the building are metal, including and up to any outlets.	✓	To be conditioned.

## 6.2.4 Emergency Management Planning

*Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.*

Emergency Management:			
Performance Criteria The intent may be achieved where:	Acceptable Solutions	Can Comply?	Comments
➤ a Bush Fire Emergency Management and Evacuation Plan is prepared.	➤ Bush Fire Emergency Management and Evacuation Plan is prepared consistent with the: <ul style="list-style-type: none"> <li>- The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;</li> <li>- NSW RFS Schools Program Guide;</li> <li>- Australian Standard AS 3745:2010 Planning for emergencies in facilities; and</li> <li>- Australian Standard AS 4083:2010 Planning for emergencies – Health care facilities (where applicable).</li> </ul> ➤ the Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants.	N/A	See variations below.

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<b>VARIATIONS:</b> <b>Ecotourism:</b> a Bush Fire Emergency Management and Evacuation Plan is prepared.	➤ a Bush Fire Emergency Management and Evacuation Plan is prepared consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, and AS 3745:2010;	✓	To be conditioned.
	➤ for proposals in isolated or remote areas which involve large travel distances through bush fire prone vegetation, the following issues should be determined and addressed: - the amount of travel likely to be generated during an emergency evacuation; - the capacity of the broader road network to facilitate safe emergency evacuation; - limitations/constraints inherent in the road system; and - management of potential traffic conflicts (such as emergency vehicles versus evacuating members of the public).	✓	To form part of the Bush Fire Emergency Management and Evacuation Plan, to be conditioned.
	➤ the Bush Fire Emergency Management and Evacuation Plan must consider a mechanism for the early relocation of occupants on days when adverse fire weather is notified or adverse fire activity occurs in the local government area in which the development operates.	✓	To be conditioned.
➤ appropriate and adequate management arrangements are established for consultation and implementation of the Bush Fire Emergency Management and Evacuation Plan.	➤ an Emergency Planning Committee is established to consult with residents (and their families in the case of aged care accommodation and schools) and staff in developing and implementing an Emergency Procedures Manual; and	N/A	Not applicable.
	➤ detailed plans of all emergency assembly areas including on site and off-site arrangements as stated in AS 3745:2010 are clearly displayed, and an annually emergency evacuation is conducted.	N/A	Not applicable.

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## 7. CONCLUSION

The proposed development has been located and is designed so that it can achieve compliance with the deemed to satisfy criteria set out in Planning for Bushfire Protection, 2019.

The proposed cabins and managers residence have been located within a mostly cleared paddock, close to the existing road with a moderate slope and setback sufficiently so that APZ's can be incorporated both within the current and approved lot boundaries (as modified).

The proposal will be subject to evacuation procedures to be formulated preoccupation of the development allowing for the adoption of management in use procedures for the site. These procedures will also address the:

- use/closure of the facility on extreme and catastrophic fire rating days
- the identification of reliable 'triggers' for the implementation of emergency evacuation plans
- incorporation of pro-active measures (before a bushfire threat is imminent).

Accordingly, the following recommendations are therefore provided below.

### Recommendations:

1. That each cabin including the managers residence be constructed in accordance with Level BAL-12.5 under AS 3959-2018.
2. That a minimum APZ be established and maintained as outlined in Table A1.12.1 and discussed above be provided for each cabin and a minimum APZ as outlined in Table A1.12.3 and discussed above be provided for the managers residence.
3. That the minimum static water supply available for firefighting for the development is 10,000 litres and this be provided within a non-combustible rainwater within proximity to the managers residence building.
4. That a Bush Fire Emergency Management and Evacuation Plan is prepared consistent with the NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, and AS 3745:2010;

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This Assessment has been based on bushfire protection guidelines as outlined in Planning for Bush Fire Protection 2019 (PBP). As noted by PBP, notwithstanding the precautions recommended, it should always be remembered that bushfires burn under a range of conditions and an element of risk, no matter how small, always remains.

The adoption of bushfire protection measures cannot guarantee that a building will survive a bushfire event on every occasion. This is substantially due to the unpredictable behaviour and nature of fire and the difficulties associated with extreme weather and fire weather conditions.



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## APPENDIX A



*Figure 1: Proposed Cabin A site*



*Figure 2: Proposed Cabin B site*

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*Figure 3: Existing entrance to be used off Westons Road*



*Figure 4: Proposed internal driveway corridor*

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*Figure 5: Proposed Managers Residence site*



*Figure 6: Proposed Cabin Site C*

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*Figure 7: Proposed Cabin D site*



# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Multi Dwelling

Certificate number: 1171655M

Received by  
**SNOWY MONARO REGIONAL COUNCIL**  
29/01/2021

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Wednesday, 27 January 2021

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,  
Industry &  
Environment

Project summary		
Project name	Niven Investments Eco	
Street address	Westons Road Crackenback 2627	
Local Government Area	Snowy Monaro Regional Council	
Plan type and plan number	deposited 841251	
Lot no.	402	
Section no.	-	
No. of residential flat buildings	5	
No. of units in residential flat buildings	5	
No. of multi-dwelling houses	0	
No. of single dwelling houses	5	
Project score		
Water	✓ 59	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 58	Target 40

Certificate Prepared by
Name / Company Name: David Law
ABN (if applicable): 83518014319

## Description of project

### Project address

Project name	Niven Investments Eco
Street address	Westons Road Crackenback 2627
Local Government Area	Snowy Monaro Regional Council
Plan type and plan number	deposited 841251
Lot no.	402
Section no.	-

### Project type

No. of residential flat buildings	5
No. of units in residential flat buildings	5
No. of multi-dwelling houses	0
No. of single dwelling houses	5

### Site details

Site area (m²)	398193
Roof area (m²)	597
Non-residential floor area (m²)	0.0
Residential car spaces	4
Non-residential car spaces	0

### Common area landscape

Common area lawn (m²)	0.0
Common area garden (m²)	0.0
Area of indigenous or low water use species (m²)	0.0

### Assessor details

Assessor number	19/1926
Certificate number	GYGVG89L1B
Climate zone	69
Ceiling fan in at least one bedroom	No
Ceiling fan in at least one living room or other conditioned area	No

### Project score

Water	✓ 59	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 58	Target 40



## Description of project

The tables below describe the dwellings and common areas within the project

### Residential flat buildings - Managers cabin, 1 dwelling, 1 storeys above ground

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
1	2	61.6	4.2	0.0	0.0

### Residential flat buildings - Cabin A, 1 dwelling, 1 storeys above ground

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
2	2	61.6	4.2	0.0	0.0

### Residential flat buildings - Cabin B, 1 dwelling, 1 storeys above ground

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
3	2	61.6	4.2	0.0	0.0

**Residential flat buildings - Cabin C, 1 dwelling, 1 storeys above ground**

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
4	2	61.6	4.2	0.0	0.0

**Residential flat buildings - Cabin D, 1 dwelling, 1 storeys above ground**

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
5	1	48.4	4.2	0.0	0.0

**Single dwelling houses**

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
1	2	61.6	4.2	0.0	0.0
5	1	48.4	4.2	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
2	2	61.6	4.2	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
3	2	61.6	4.2	0.0	0.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
4	2	61.6	4.2	0.0	0.0

**No common areas specified.**

## Schedule of BASIX commitments

### 1. Commitments for Residential flat buildings - Managers cabin

- (a) Dwellings
  - (i) Water
  - (ii) Energy
  - (iii) Thermal Comfort
- (b) Common areas and central systems/facilities
  - (i) Water
  - (ii) Energy

### 2. Commitments for Residential flat buildings - Cabin A

- (a) Dwellings
  - (i) Water
  - (ii) Energy
  - (iii) Thermal Comfort
- (b) Common areas and central systems/facilities
  - (i) Water
  - (ii) Energy

### 3. Commitments for Residential flat buildings - Cabin B

- (a) Dwellings
  - (i) Water
  - (ii) Energy
  - (iii) Thermal Comfort
- (b) Common areas and central systems/facilities
  - (i) Water
  - (ii) Energy

### 4. Commitments for Residential flat buildings - Cabin C

- (a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort
- (b) Common areas and central systems/facilities
  - (i) Water
  - (ii) Energy

5. Commitments for Residential flat buildings - Cabin D

- (a) Dwellings
  - (i) Water
  - (ii) Energy
  - (iii) Thermal Comfort
- (b) Common areas and central systems/facilities
  - (i) Water
  - (ii) Energy

6. Commitments for multi-dwelling houses

7. Commitments for single dwelling houses

- (a) Dwellings
  - (i) Water
  - (ii) Energy
  - (iii) Thermal Comfort

8. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

## Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

### 1. Commitments for Residential flat buildings - Managers cabin

#### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install:			
(aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and		✓	✓
(bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓	✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓



Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 10000.0 litres	To collect run-off from at least: 80.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	no	yes	yes	no	no
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	-	-			-	-	-	-	-	-	-	-

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	no	-	-	-	-	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in MJ/m²/yr)	Area adjusted cooling load (in MJ/m²/yr)
All dwellings	241.7	25.3

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

## 2. Commitments for Residential flat buildings - Cabin A

### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓



Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 10000.0 litres	To collect run-off from at least: 80.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	no	yes	yes	no	no
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	-	-			-	-	-	-	-	-	-	-

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	no	-	-	-	-	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
All dwellings	241.7	25.3

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

### 3. Commitments for Residential flat buildings - Cabin B

#### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓



Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 10000.0 litres	To collect run-off from at least: 80.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	no	yes	yes	no	no
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	-	-			-	-	-	-	-	-	-	-

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	no	-	-	-	-	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
All dwellings	241.7	25.3

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

#### 4. Commitments for Residential flat buildings - Cabin C

##### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓



Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 10000.0 litres	To collect run-off from at least: 80.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	no	yes	yes	no	no
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	-	-			-	-	-	-	-	-	-	-

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	no	-	-	-	-	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
All dwellings	241.7	25.3

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

## 5. Commitments for Residential flat buildings - Cabin D

### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓



Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 10000.0 litres	To collect run-off from at least: 80.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	no	yes	yes	no	no
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	-	-			-	-	-	-	-	-	-	-

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	no	-	-	-	-	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m²/yr)	Area adjusted cooling load (in mJ/m²/yr)
All dwellings	249.4	30.2

**(b) Common areas and central systems/facilities**

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

## 7. Commitments for single dwelling houses

### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓



Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
1	4 star (> 6 but <= 7.5 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-
All other dwellings	3 star (> 7.5 but <= 9 L/min)	4 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 10000.0 litres	To collect run-off from at least: 80.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	no	yes	yes	no	no
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	
(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.	✓	✓	✓

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	electric storage	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

	Cooling		Heating		Artificial lighting						Natural lighting	
Dwelling no.	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
5	ceiling fans	ceiling fans	-	-	1	1	yes	yes	yes	yes	1	yes
All other dwellings	ceiling fans	ceiling fans	-	-	2	1	yes	yes	yes	yes	1	yes

	Individual pool		Individual spa		Appliances & other efficiency measures							
Dwelling no.	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	no	-	-	-	yes	no

	Alternative energy
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	3.3

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Dwelling no.	Thermal loads	
	Area adjusted heating load (in mJ/m <sup>2</sup> /yr)	Area adjusted cooling load (in mJ/m <sup>2</sup> /yr)
5	249.4	30.2
All other dwellings	241.7	25.3

Dwelling no.	Construction of floors and walls				
	Concrete slab on ground(m²)	Suspended floor with open subfloor (m²)	Suspended floor with enclosed subfloor (m²)	Suspended floor above garage (m²)	Primarily rammed earth or mudbrick walls
5	53	-	-	-	No
All other dwellings	66	-	-	-	No

## 8. Commitments for common areas and central systems/facilities for the development (non-building specific)

### (b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓



## Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

## Legend

1. Commitments identified with a "✓" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✓" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✓" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).

## Nationwide House Energy Rating Scheme — Class 2 summary

Generated on 27 Jan 2021 using FirstRate5 v5.3.0a

### Property

**Address** Lot 402 Westons Road, Crackenback ,  
NSW, 2627

**Lot/DP**

**NatHERS climate zone**

### Accredited assessor

Joshua Mollison

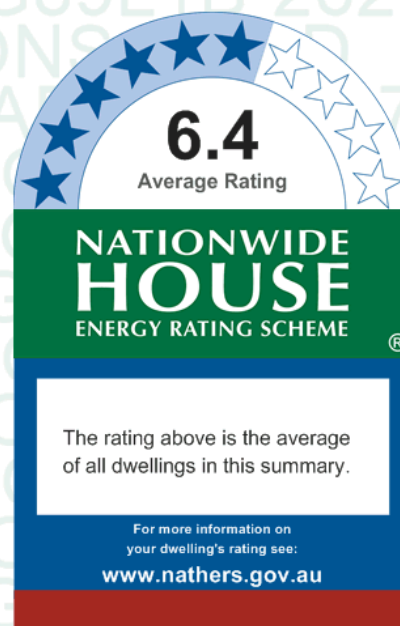
Living Building Solutions

res@livingbuildingsolutions.com.au

0422649295

**Accreditation No.** DMN/19/1926

**Assessor Accrediting Organisation** DMN



### Verification

To verify this certificate, scan the QR code or visit

<https://www.fr5.com.au/QRCodeLanding?PublicId=GYGVG89L1B&GrpCert=1> When using either link, ensure you are visiting [www.fr5.com.au](http://www.fr5.com.au).

## Summary of all dwellings

Certificate number and link	Unit number	Heating load (MJ/m <sup>2</sup> /p.a.)	Cooling load (MJ/m <sup>2</sup> /p.a.)	Total load (MJ/m <sup>2</sup> /p.a.)	Star rating
QMYVAES4WN	A	241.7	25.3	267	6.4
TK9A9LX0KB	B	241.7	25.3	267	6.4
GA6CLGMB6D	C	241.7	25.3	267	6.4
VOQMC7U0NE	D	249.4	30.2	279.6	6.2
FPFPQGMKKH	M	241.7	25.3	267	6.4
Average		243.2	26.3	269.5	6.4

### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements.

The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.

GYGVG89L1B NatHERS Certificate

Average 6.4 Star Rating as of 27 Jan 2021



## Explanatory notes

### About this report

This summary rating is the average rating of all NCC Class 2 dwellings in a development. The individual dwellings' ratings are a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate the energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances, or energy production of solar panels. For more details about an individual dwelling's assessment, refer to the individual dwelling's NatHERS Certificate (accessible via link).

### Accredited Assessors

To ensure the NatHERS Certificate is of a high quality, always use an accredited or licenced assessor. NatHERS accredited assessors are members of a professional body called an Assessor Accrediting Organisation (AAO). AAOs have specific quality assurance processes in place, and continuing professional development requirements, to maintain a high and consistent standard of assessments across the country.

Any questions or concerns about this report should be directed to the assessor in the first instance. If the assessor is unable to address these questions or concerns, the AAO specified on the front of this certificate should be contacted.

### Disclaimer

The format of the NatHERS Certificate was developed by the NatHERS Administrator. However the content, input and creation of the NatHERS Certificate is by the assessor. It is the responsibility of the assessor who prepared this certificate to use NatHERS accredited software correctly and follow the NatHERS Technical Notes to produce a NatHERS Certificate.



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**a.** 27 Rundle Street, Kent Town SA 5067

**P.I.** LPS016832716-12307

**LBS REFERENCE NUMBER**

LBS7299

**DATE**

Wednesday, 27 January 2021

**NCC 2019, VOL.2 ENERGY EFFICIENCY COMPLIANCE REPORT**

DEVELOPED IN ACCORDANCE WITH THE PERFORMANCE REQUIREMENTS OF THE NCC

**PROJECT ADDRESS**

Cabin D Lot 402 Westons Road, Crackenback NSW 2627

**BUILDING CLASS**

Class 1

**CLIMATE ZONE**

ABCB 7 / NatHERS 69

**REPORT COMMISSIONED BY**

Dabyne Planning Pty Ltd

**CLIENT REFERENCE NUMBER**

20Westons



DESIGN | CONSULT | CONSTRUCT

[LBSconsult.com.au](http://LBSconsult.com.au)

## COMPLIANCE SUMMARY

The proposed Class 1 building has been assessed for compliance with Part 2.6 Energy Efficiency of the National Construction Code (NCC), Volume 2 using NatHERS Energy Modelling to comply with BCA, Volume 2, 3.12.0.1.

To comply with this method the building must meet the Performance Requirements of P2.6.1 and P2.6.2. The proposed development must be constructed in accordance with the following specification to achieve compliance:

### SPECIFICATION REQUIREMENTS

<b>Plans</b>	Construction as per plans Dark roof colour (SA>0.6)
<b>Insulation</b>	R4.0 insulation laid at ceiling level to all roof spaces R1.3 Anticon blanket laid at roof level to all roof spaces R2.5 insulation to all external walls R2.0 insulation to all internal framed walls R1.0 insulation under slab & to slab edge
<b>Glazing</b>	All external sliding windows and doors to meet the following total system values: U-Value: $\leq 3.65$ SHGC: $0.63 \pm 10\%$ All external fixed windows to meet the following total system values: U-Value: $\leq 3.12$ SHGC: $0.63 \pm 10\%$ All external glazed casement to meet the following total system values: U-Value: $\leq 3.68$ SHGC: $0.51 \pm 10\%$
<b>Sealing</b>	All exhaust fans sealed to outside air All external doors and Garage internal doors to be sealed in accordance with 3.12.3.3
<b>Services</b>	Lighting as per 3.12.5.5 Input Data  Additional Requirements outlined in Report Limitations (Page 4) All external walls must have: - A vapour permeable membrane installed in accordance with AS4200; or - Primary water control layer is separated from water sensitive materials by a drained cavity, installed in accordance with AS4200 Exposed slab or Tiles or Timber floor coverings to Kitchen/Living & Passageways





**P2.6.1**

Compliance with P2.6.1 is achieved when a star rating of not less than 6 stars and the separate heating and cooling load caps and not exceeded using house energy rating software<sup>1</sup>.

The proposed development achieves 6.2 Stars when assessed in accordance with BCA, Volume 2, 3.12.0.1<sup>2</sup>

	Star Rating	Heating & Cooling (MJ/m2)	Heating (MJ/m2)	Cooling (MJ/m2)
Proposed Design	6.2	279.9	249.7	30.2
NCC Requirement	6.0	298.0	N/A	N/A
P2.6.1 Compliant	✓	✓	✓	✓

At the time of the assessment not all information could be confirmed, the proposed development must be constructed in accordance with following additional requirements and information:

3.12.1.1	Installation of building fabric thermal insulation must comply with this section
3.12.1.2(c) & 3.12.1.4(d)	If applicable, Installation of thermal breaks must comply with this section
3.12.1.5(c) & 3.12.1.5(d)	If applicable, floor edge insulation requirements for slab edge insulation must comply with this section
3.12.3	Building sealing must comply with this section

**P2.6.2**

Compliance with P2.6.2 requires domestic services to have features that facilitate the efficient use of energy. This performance requirement is met by complying with the DtS requirements of Part 3.12.5- Artificial Lighting.

	Lighting Design (Watts)*	NCC Maximum (Watts)
Class 1	TBC	263
Outdoor	TBC	44
Class 10 Wattage	N/A	N/A

\*If 'TBC', lighting could not be confirmed at the time of this assessment. The lighting design must not exceed the maximum watts outlined in the table above

At the time of the assessment not all information could be confirmed, the proposed building must be constructed in accordance with the following additional requirements:

3.12.5.1	Thermal insulation for central heating water piping and heating and cooling ductwork to comply with this section
3.12.5.2	Central heating water piping that is not within a conditioned space must be thermal insulated in accordance with table 3.12.5.1
3.12.5.3	Specification and installation of heating and cooling ductwork must comply with this section
3.12.5.4	If applicable, electric resistance space heating systems must comply with this section
3.12.5.5	Artificial Lighting must comply with this section
3.12.5.6	Heated water supply system must be designed and installed in accordance with Part B2 of NCC Volume 3 - Plumbing Code of Australia
3.12.5.7	If applicable, all swimming pool heating must comply with this section

<sup>1</sup> Software accredited under the Nationwide House Energy Rating Scheme and is limited to assessing the potential thermal efficiency of the dwelling envelope.

<sup>2</sup> Refer to attached certificate







### **DISCLAIMER**

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## Nationwide House Energy Rating Scheme

### NatHERS Certificate No. VOQMC7U0NE

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21)

#### Property

**Address** D, Westons Road, Crackenback, NSW, 2627  
**Lot/DP** 402  
**NCC Class\*** Class 1a  
**Type** New Home

#### Plans

**Main plan** -  
**Prepared by** -

#### Construction and environment

<b>Assessed floor area (m²)*</b>	<b>Exposure type</b>
Conditioned* 48.4	suburban
Unconditioned* 4.2	<b>NatHERS climate zone</b>
Total 52.6	69, Crackenback
Garage -	



#### Accredited assessor

**Name** Joshua Mollison  
**Business name** Living Building Solutions  
**Email** res@livingbuildingsolutions.com.au  
**Phone** 0422649295  
**Accreditation No.** DMN/19/1926  
**Assessor Accrediting Organisation** DMN  
**Declaration of interest** Declaration completed: no conflicts

#### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.



#### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>249.4</b>	<b>30.2</b>
<b>MJ/m²</b>	<b>MJ/m²</b>

#### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

#### Verification

To verify this certificate, scan the QR code or visit <https://www.fr5.com.au/QRCodeLanding?PublicId=VOQMC7U0NE> When using either link, ensure you are visiting [www.FR5.com.au](http://www.FR5.com.au).



\* Refer to glossary.

## VOQMC7U0NE NatHERS Certificate

6.2 Star Rating as of 22 Jan 2021



## Certificate Check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

## Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page?  
Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

## Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

## Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

## Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

## Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

## Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional Notes

Window and glazed door *type and performance*

## Default\* windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

## Custom\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
A&L-016-01 A	AI Casement DG 3/12/3	3.68	0.51	0.48	0.54
A&L-026-01 A	AI Boutique Fixed Lite Window DG 3/12/3	3.12	0.69	0.66	0.72
A&L-013-01 A	AI Sliding Door DG 4/10/4	3.65	0.63	0.6	0.66

Window and glazed door *Schedule*

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Entry	A&L-016-01 A	Opening 9	2040	920	casement	90.0	E	No
Kitchen/Living	A&L-026-01 A	Opening 3	1200	1200	fixed	0.0	S	No
Kitchen/Living	A&L-016-01 A	Opening 4	2040	820	casement	100.0	S	No

\* Refer to glossary.

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21) for D, Westons Road, Crackenback

## VOQMC7U0NE NatHERS Certificate

6.2 Star Rating as of 22 Jan 2021



Kitchen/Living	A&L-026-01 A	Opening 5	430	866	fixed	0.0	S	No
Kitchen/Living	A&L-013-01 A	Opening 1	2400	6000	sliding	60.0	W	No
Kitchen/Living	A&L-026-01 A	Opening 2	1200	600	fixed	0.0	W	No
Bedroom 1	A&L-013-01 A	Opening 7	600	3300	sliding	45.0	E	No
Bedroom 1	A&L-026-01 A	Opening 8	600	900	fixed	0.0	N	No
Bath	A&L-013-01 A	Opening 6	2100	600	double_hung	45.0	S	No

## Roof window type and performance value

Default\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

Custom 100 windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Indoor shade
No Data Available							

## Skylight type and performance

Skylight ID	Skylight description
No Data Available	

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orient-ation	Outdoor shade	Diffuser	Skylight shaft reflectance
No Data Available								

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
No Data Available				

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
1	FR5 - Fibro Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No
2	FR5 - Metal Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No

## External wall schedule

\* Refer to glossary.

Page 3 of 7

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## VOQMC7U0NE NatHERS Certificate

6.2 Star Rating as of 22 Jan 2021



Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
Entry	1	2550	1682	E	2283	Yes
Entry	1	2600	1681	N	0	No
Kitchen/Living	2	2850	3865	S	593	No
Kitchen/Living	2	2700	1427	E	4086	Yes
Kitchen/Living	2	2600	1023	S	2019	Yes
Kitchen/Living	1	2850	3869	N	0	No
Kitchen/Living	2	3001	817	W	1485	Yes
Kitchen/Living	2	3000	7272	W	1485	Yes
Bedroom 1	2	2400	3287	E	0	No
Bedroom 1	2	2550	2203	N	1784	Yes
Bath	2	2400	1470	E	0	No
Bath	2	2550	2863	S	2019	Yes

## Internal wall type

Wall ID	Wall type	Area (m²)	Bulk insulation
1	FR5 - Internal Plasterboard Stud Wall	31	Glass fibre batt: R2.0 (R2.0)

## Floor type

Location	Construction	Area (m²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Entry	FR5 - CSOG: Slab on Ground	2.8	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	20	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	12.8	Enclosed	R1.0	Timber
Bedroom 1	FR5 - CSOG: Slab on Ground	12.8	Enclosed	R1.0	Carpet
Bath	FR5 - CSOG: Slab on Ground	4.2	Enclosed	R1.0	Tiles

## Ceiling type

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Entry	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Bedroom 1	Plasterboard	R4.0	Yes
Bath	Plasterboard	R4.0	Yes

## Ceiling penetrations\*

Location	Quantity	Type	Diameter (mm)	Sealed/unsealed
Kitchen/Living	1	Exhaust Fans	300	Sealed
Bath	1	Exhaust Fans	300	Sealed

## Ceiling fans

\* Refer to glossary.

Page 4 of 7

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**VOQMC7U0NE NatHERS Certificate**

**6.2 Star Rating** as of 22 Jan 2021



Location	Quantity	Diameter (mm)
No Data Available		

**Roof type**

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Framed:Flat - Flat Framed (Metal Deck)	1.3	0.6	Dark

\* Refer to glossary.



## VOQMC7U0NE NatHERS Certificate

6.2 Star Rating as of 22 Jan 2021



## Explanatory Notes

## About this report

A NatHERS rating is a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate an energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances or energy production of solar panels.

Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

## Accredited assessors

To ensure the NatHERS Certificate is of a high quality, always use an accredited or licenced assessor. NatHERS accredited assessors are members of a professional body called an Assessor Accrediting Organisation (AAO).

Australian Capital Territory (ACT) licensed assessors may only produce assessments for regulatory purposes using software for which they have a licence endorsement. Licence endorsements can be confirmed on the ACT licensing register

AAOs have specific quality assurance processes in place, and continuing professional development requirements, to maintain a high and consistent standard of assessments across the country. Non-accredited assessors do not have this level of quality assurance or any ongoing training requirements.

Any questions or concerns about this report should be directed to the assessor in the first instance. If the assessor is unable to address these questions or concerns, the AAO specified on the front of this certificate should be contacted.

## Disclaimer

The format of the NatHERS Certificate was developed by the NatHERS Administrator. However the content of each individual certificate is entered and created by the assessor to create a NatHERS Certificate. It is the responsibility of the assessor who prepared this certificate to use NatHERS accredited software correctly and follow the NatHERS Technical Notes to produce a NatHERS Certificate.

The predicted annual energy load in this NatHERS Certificate is an estimate based on an assessment of the building by the assessor. It is not a prediction of actual energy use, but may be used to compare how other buildings are likely to perform when used in a similar way. Information presented in this report relies on a range of standard assumptions (both embedded in NatHERS accredited software and made by the assessor who prepared this report), including assumptions about occupancy, indoor air temperature and local climate.

Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

## Glossary

<b>Annual energy load</b>	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
<b>Assessed floor area</b>	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
<b>Ceiling penetrations</b>	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
<b>Conditioned</b>	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
<b>Custom windows</b>	windows listed in NatHERS software that are available on the market in Australia and have a WERS (Window Energy Rating Scheme) rating.
<b>Default windows</b>	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
<b>Entrance door</b>	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
<b>Exposure category - exposed</b>	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
<b>Exposure category - open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m, farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category - suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category - protected</b>	terrain with numerous, closely spaced obstructions over 10 m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.

\* Refer to glossary.

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## VOQMC7U0NE NatHERS Certificate

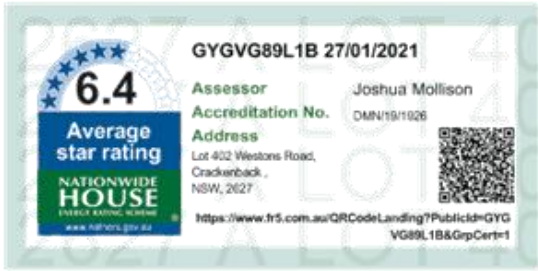
6.2 Star Rating as of 22 Jan 2021



<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening Percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap</b> (also known as foil)	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight</b> (also known as roof lights)	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).

\* Refer to glossary.





Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251, Westons Rd, Crackenback, 2627  
for  
Niven Investments



IMAGE FROM MAPS.SIX.NSW.GOV.AU

SITE AERIAL LOCATION PLAN NOT TO SCALE

**Project Consultants**  
Refer to consultant documentation when directed  
- Planning Consultant - Dabyne Planning

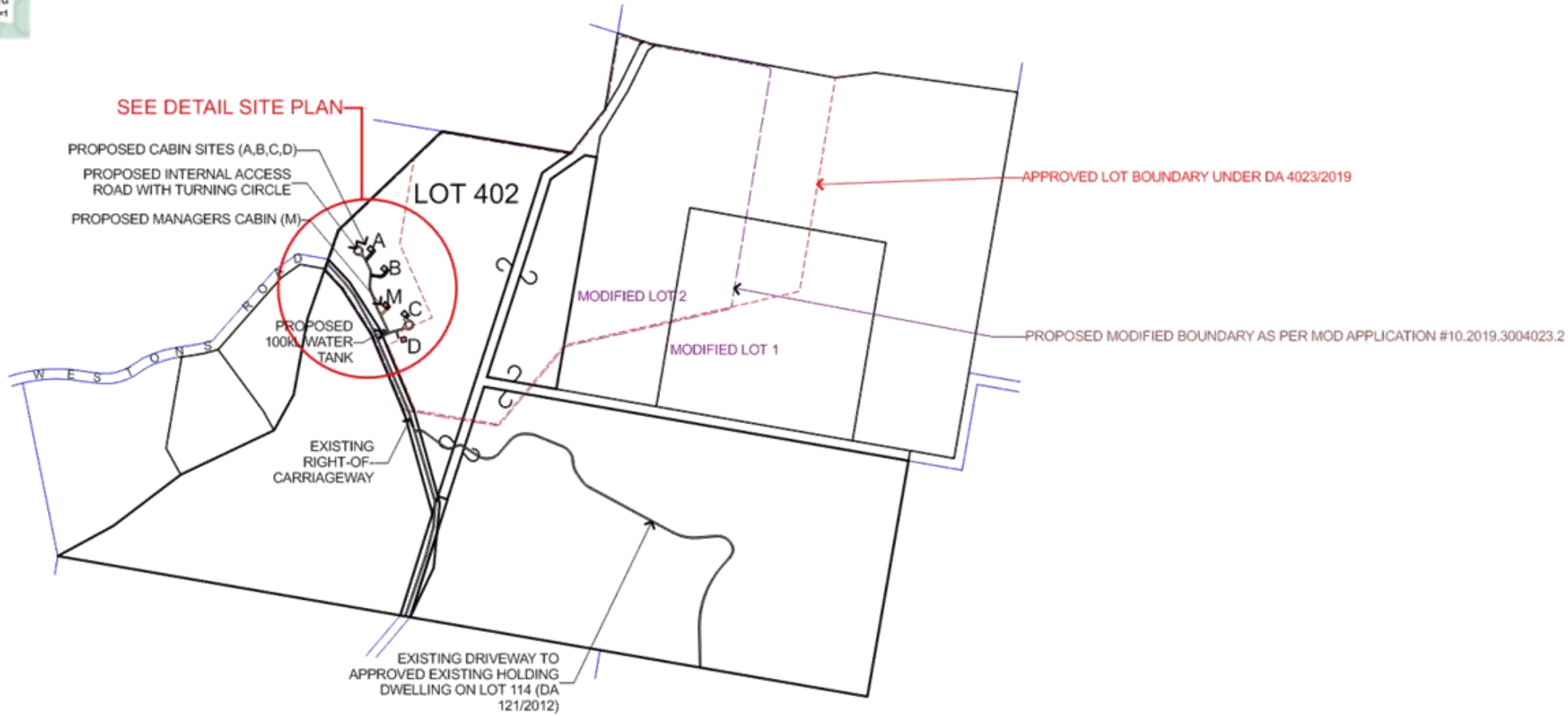


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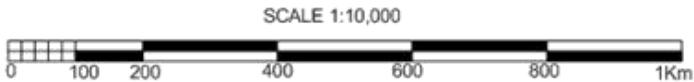
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SITE AND LOCATION LOCATION PLAN		18/1/21
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Niven Investments - Eco	DA G1	C



SITE OVERALL SITE PLAN 1:10000



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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**SITE AND LOCATION  
SITE PLAN**

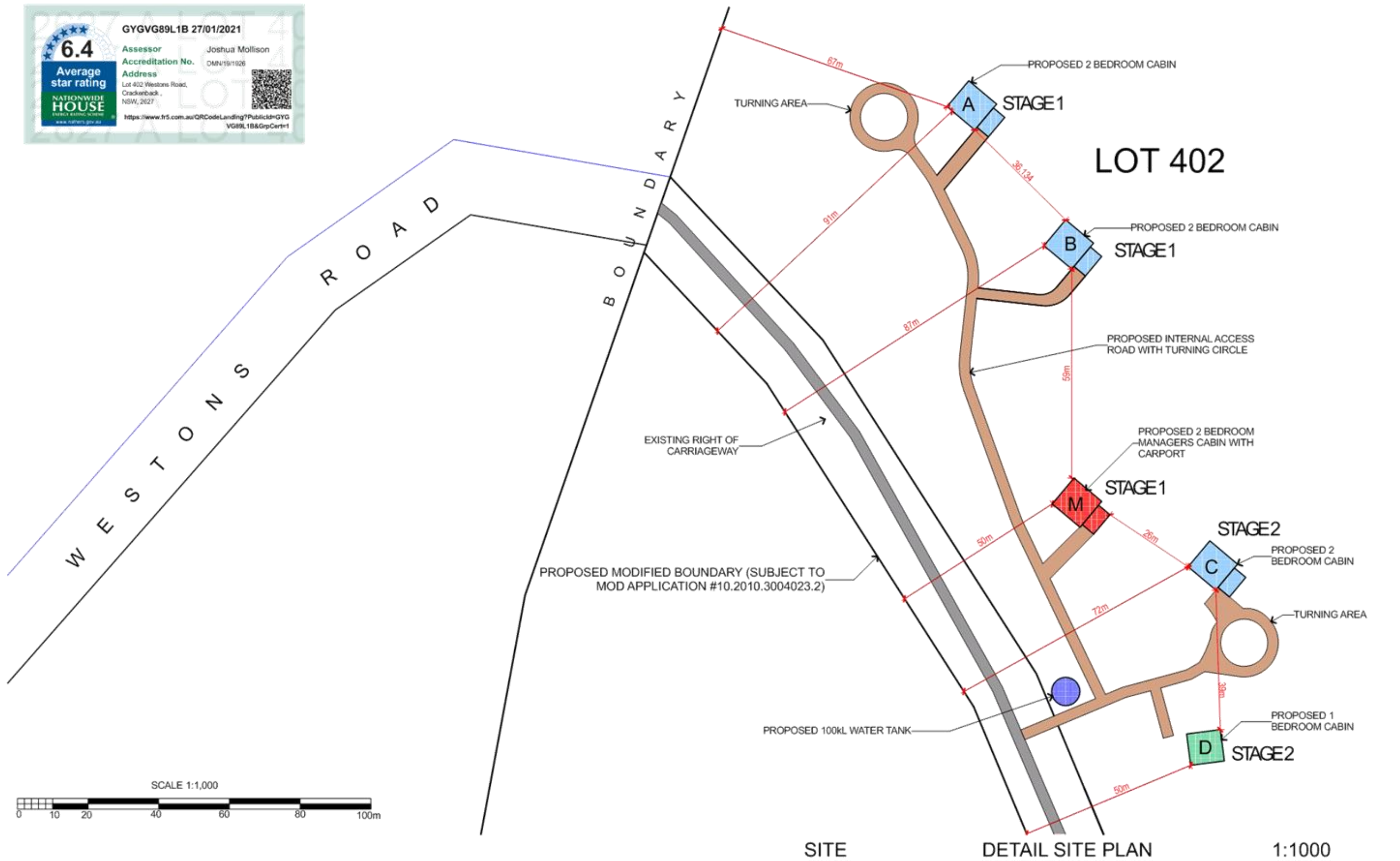
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**Niven Investments - Eco**

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**DA G2**

ISSUE :  
**C**





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Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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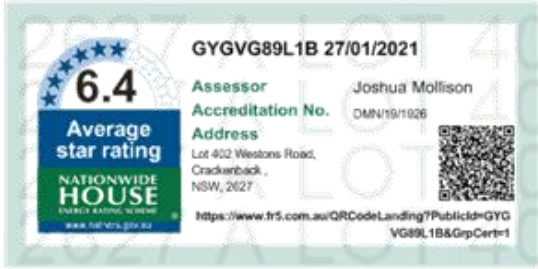
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DRAWING TITLE:  
**SITE AND LOCATION  
DETAIL SITE PLAN**

PROJECT NAME:  
**Niven Investments - Eco**

DRAWING NO.  
**DA G3**

DATE:  
**18/1/21**  
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CABIN: MANAGER 3D VIEW NW



CABIN: MANAGER 3D VIEW SW

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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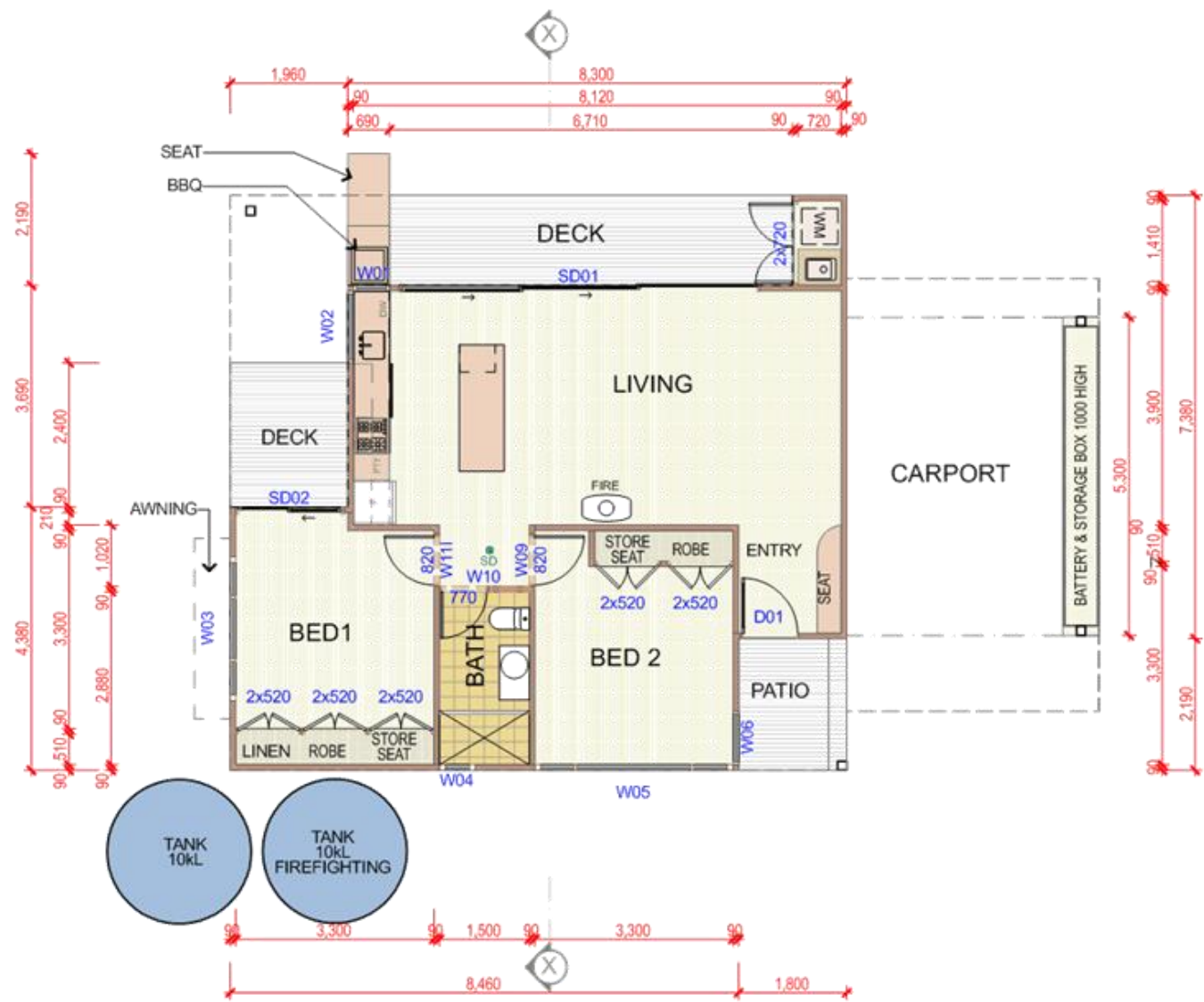
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ISSUE :

**C**





MANAGERS CABIN FLOOR PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments

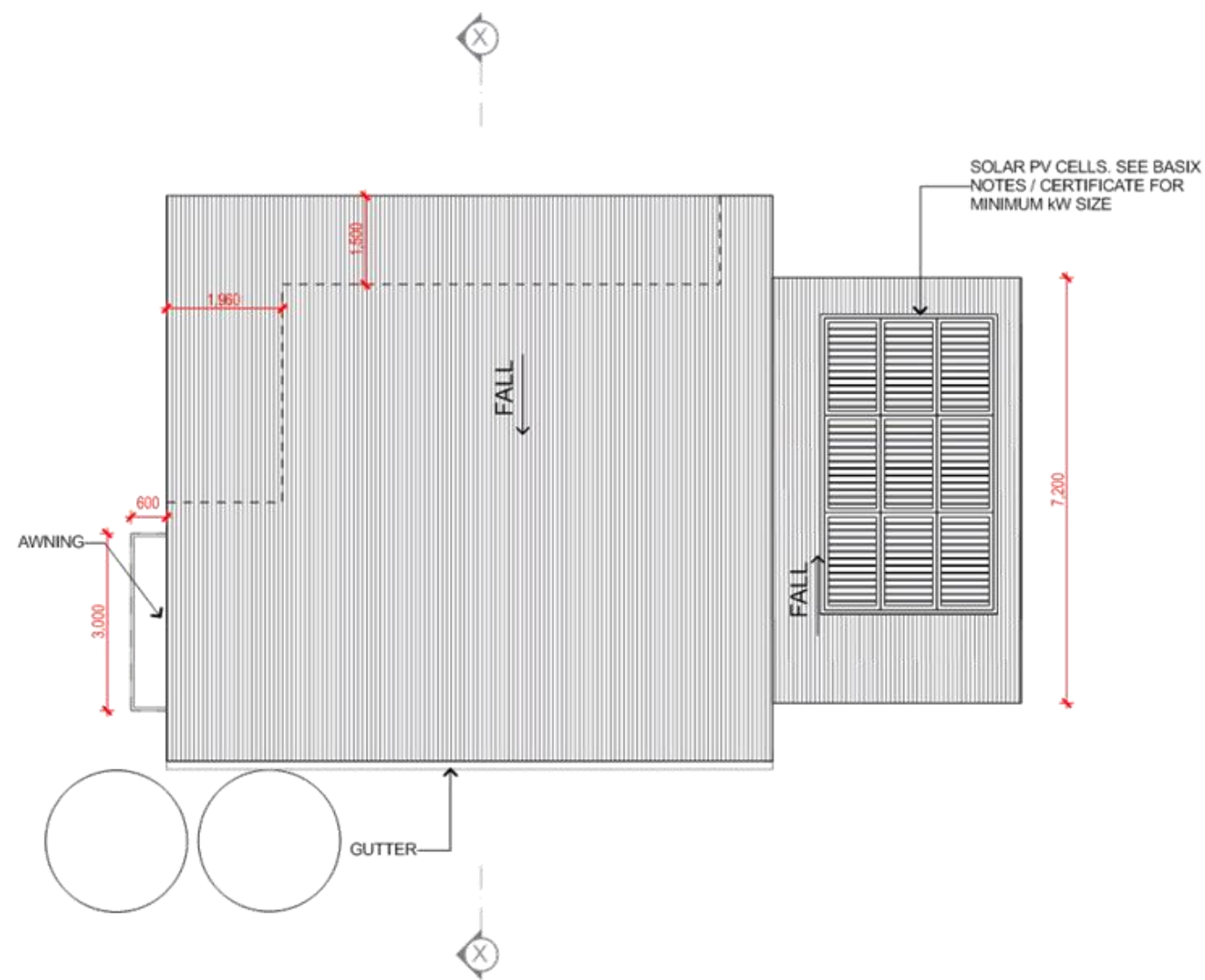


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CABIN: MANAGERS ROOF PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



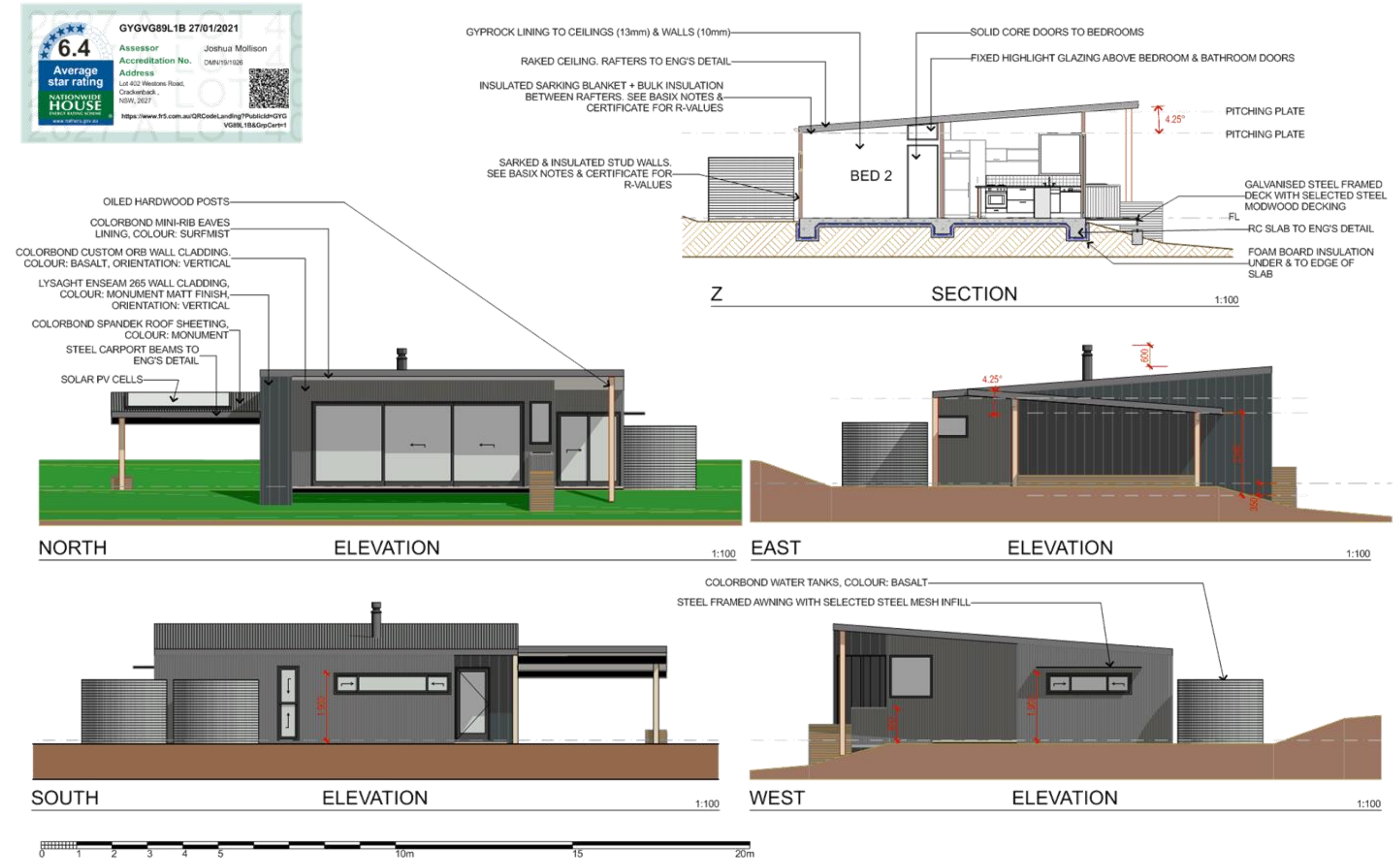
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Proposed Eco Tourist Facility Cabins  
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**CABIN: MANAGER  
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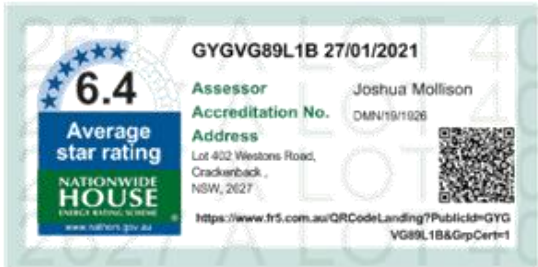
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**DA C1.4**

ISSUE :

**C**





CABIN: 2 BEDROOM

3D VIEW NW



CABIN: 2 BEDROOM

3D VIEW SE

Proposed Eco Tourist Facility Cabins  
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Westons Rd, Crackenback  
For Niven Investments



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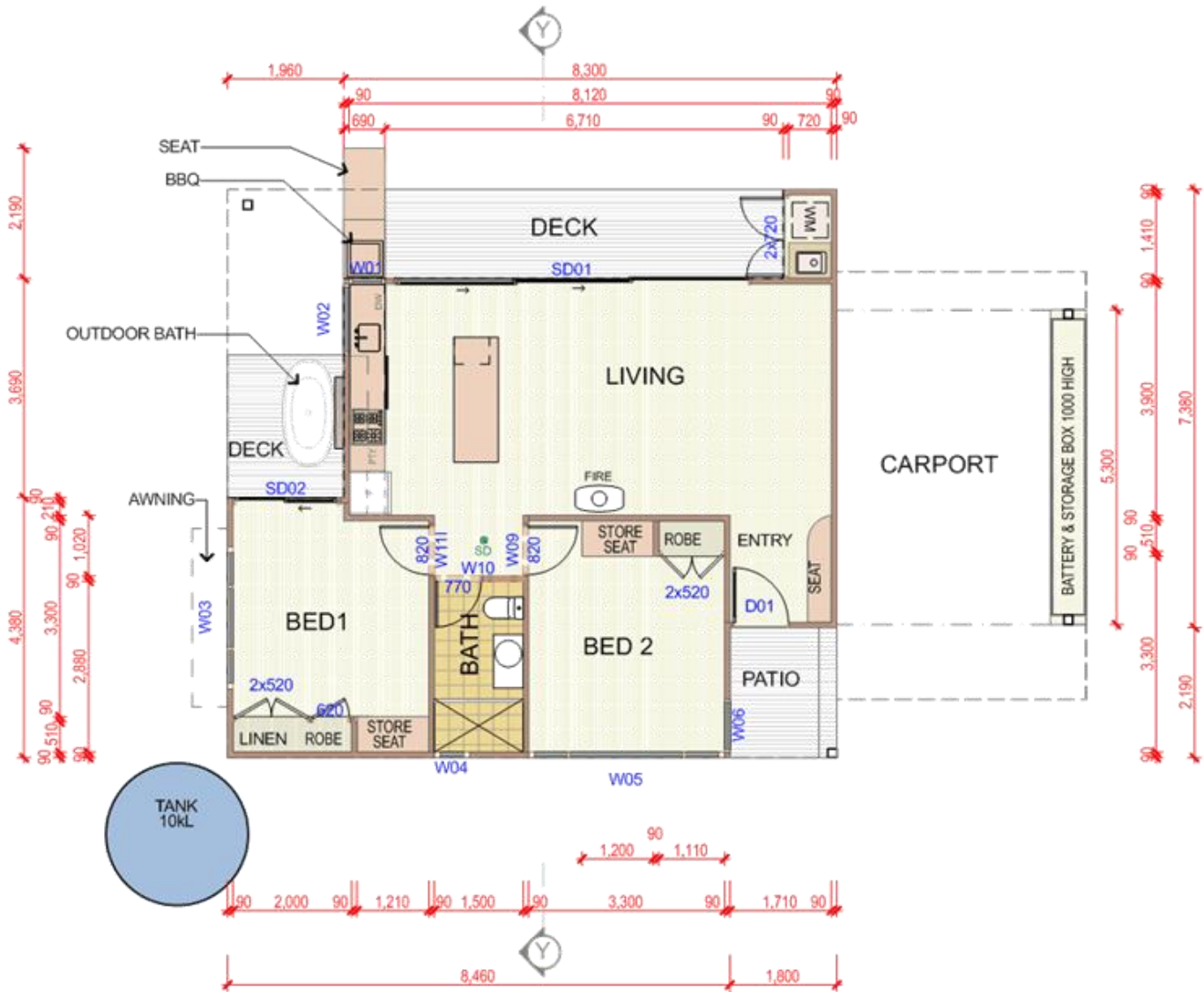
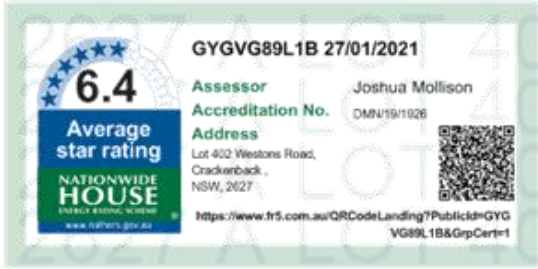
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CABIN: 2 BEDROOM FLOOR PLAN

1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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**CABIN: 2 BED  
FLOOR PLAN**

DATE :  
18/1/21

PROJECT NAME :

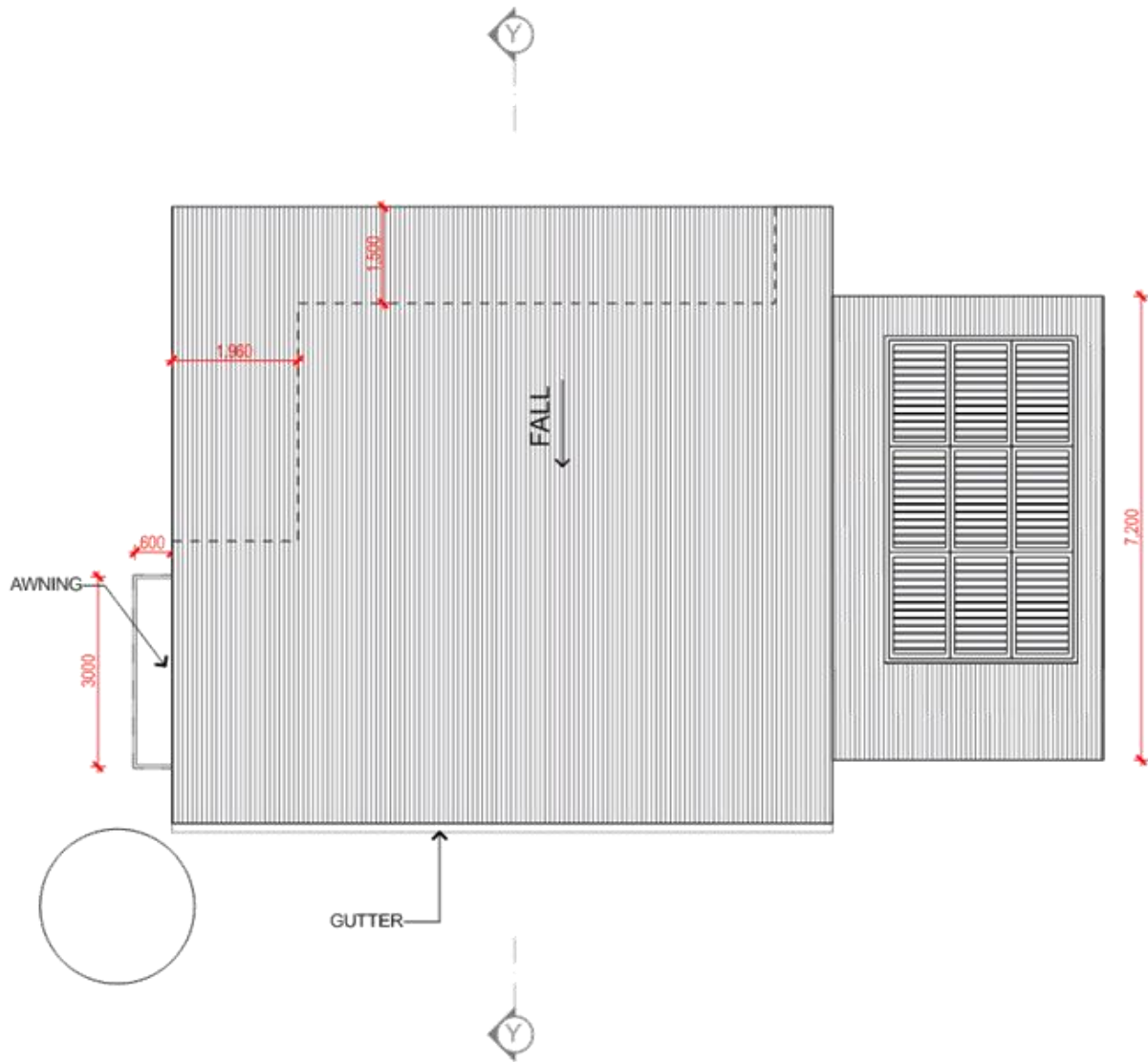
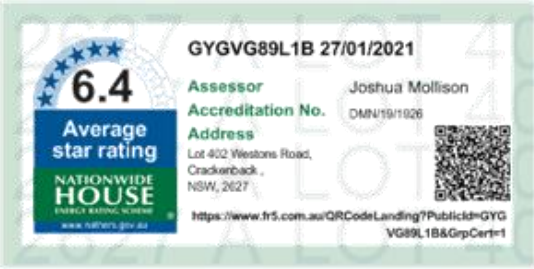
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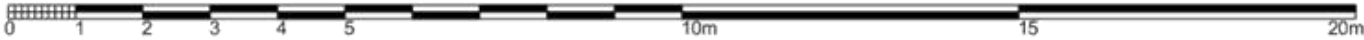
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CABIN: 2 BEDROOM ROOF PLAN 1:100



Proposed Eco Tourist Facility Cabins  
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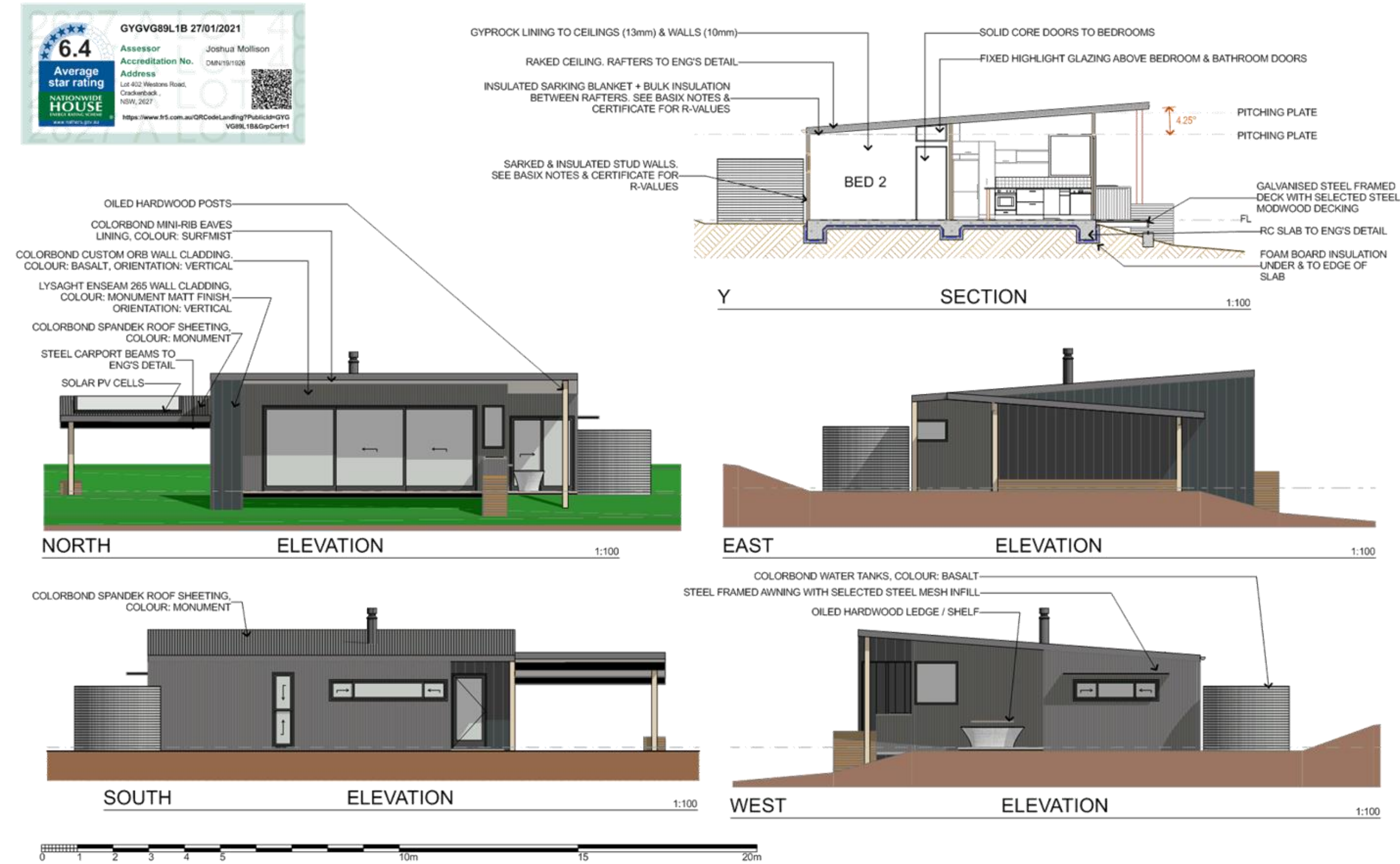
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Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
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**CABIN: 2 BED  
ELEVATIONS**

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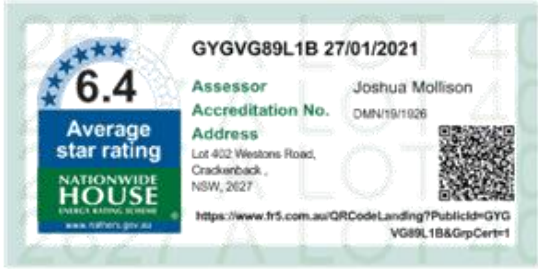
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**DA C2.4**

ISSUE :

**C**



CABIN: 1 BEDROOM 3D VIEW SW



CABIN: 1 BEDROOM 3D VIEW NE

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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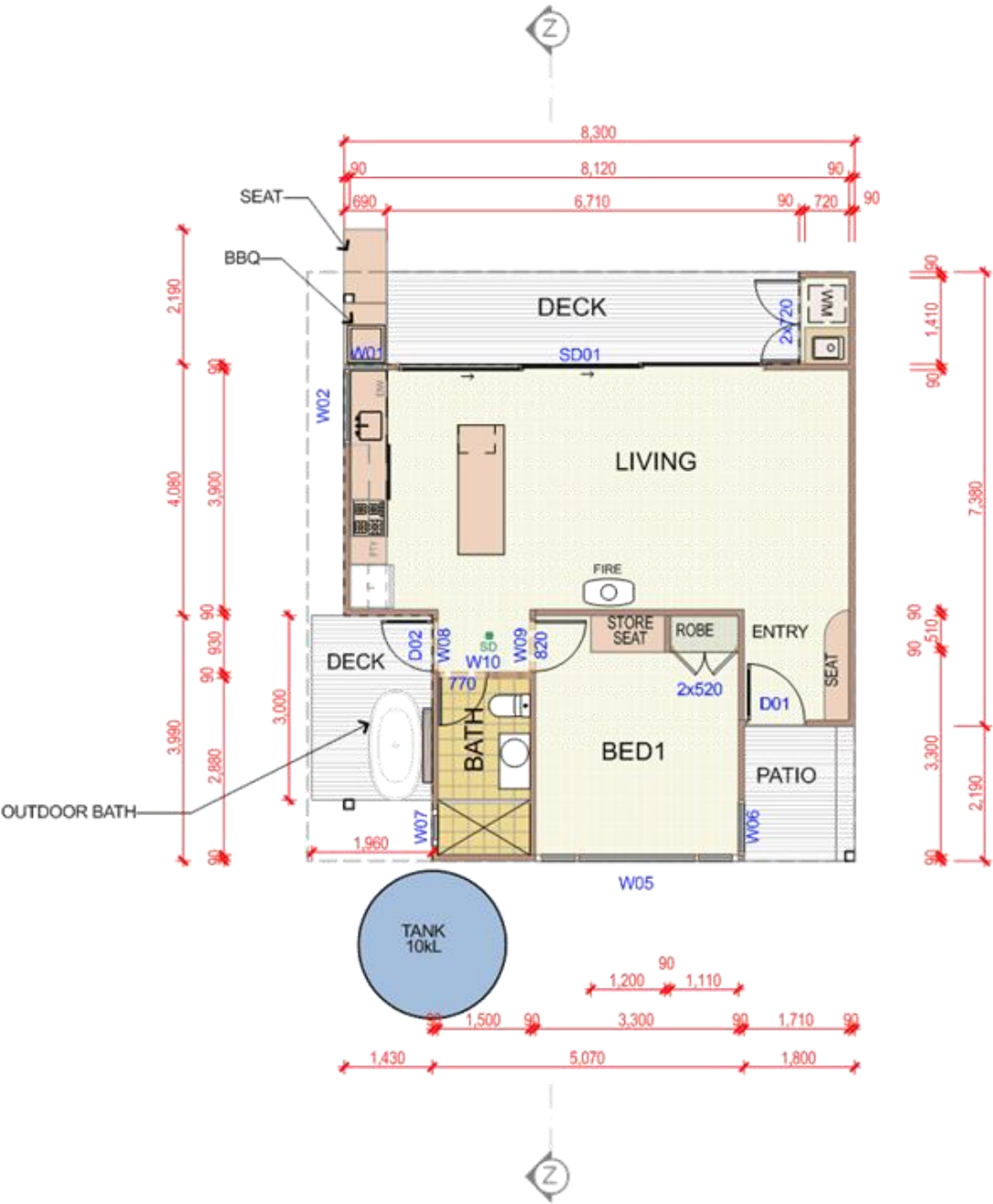
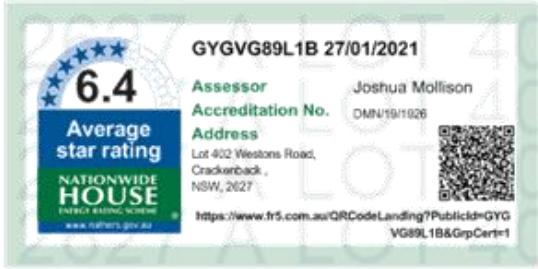
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<b>Niven Investments - Eco</b>	<b>DA C3.1</b>	<b>C</b>	





CABIN: 1 BEDROOM FLOOR PLAN 1:100

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



**DAVID  
LAW**

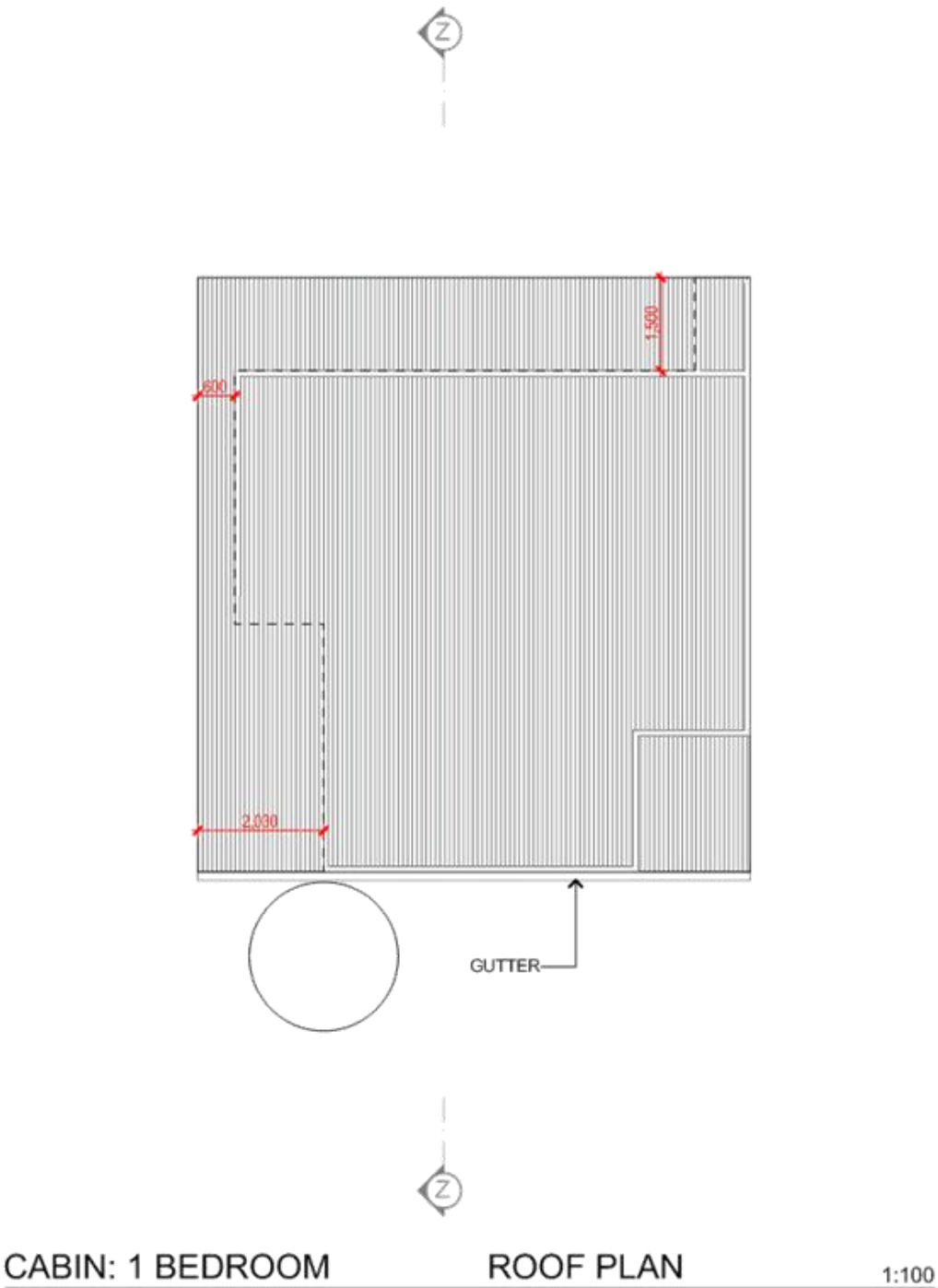
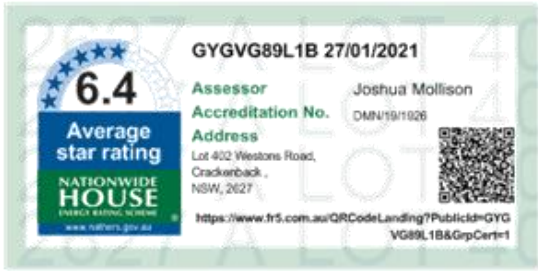
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DATUM: ASSUMED  
SHEET SIZE: A3

DRAWING TITLE : <b>CABIN: 1 BED FLOOR PLAN</b>		DATE : 18/1/21
PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. <b>DA C3.2</b>	ISSUE : <b>C</b>



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments

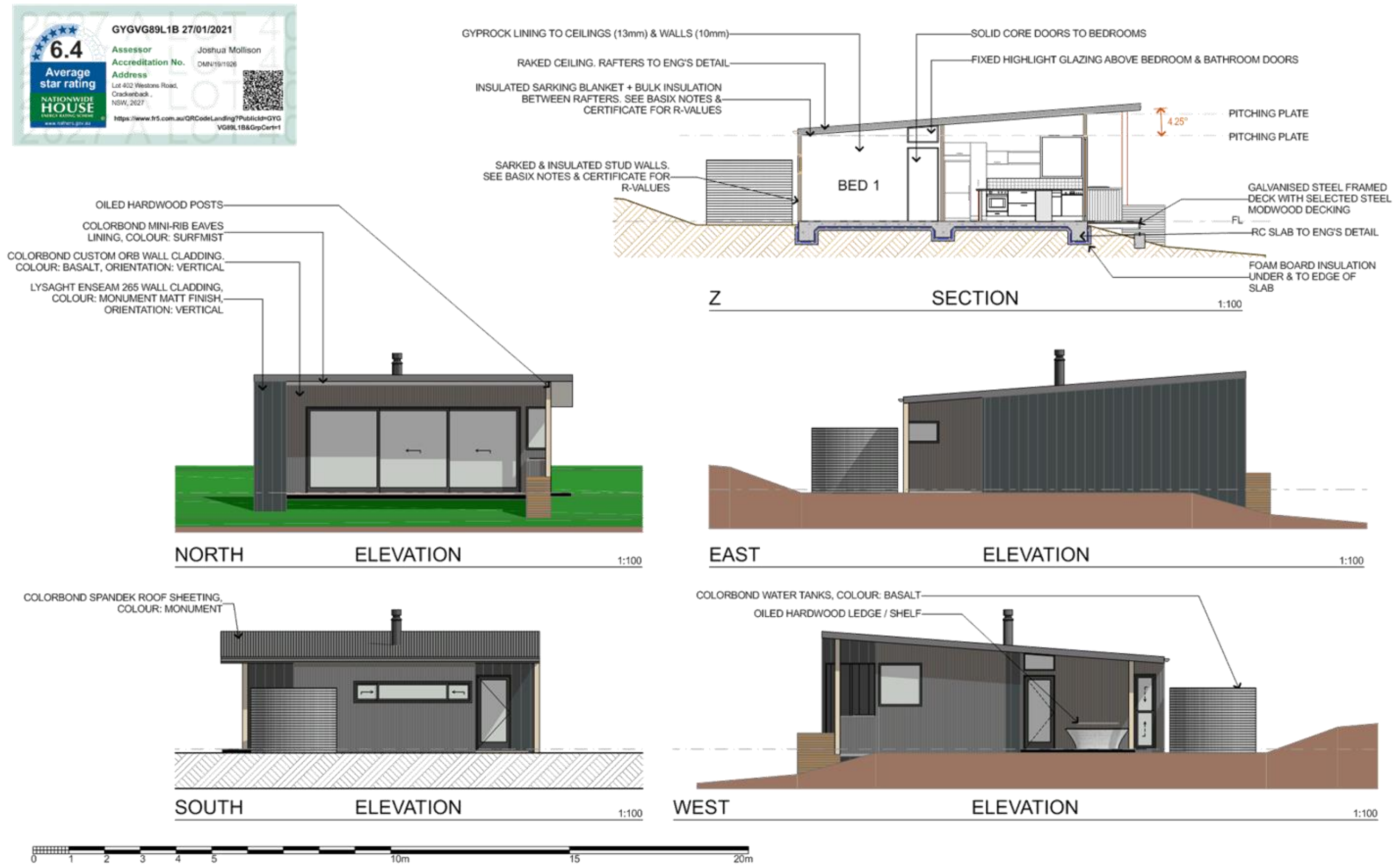


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DRAWING TITLE :		DATE :	
CABIN: 1 BED ROOF PLAN		18/1/21	
PROJECT NAME :	DRAWING NO.:	ISSUE :	
Niven Investments - Eco	DA C3.3	C	



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments


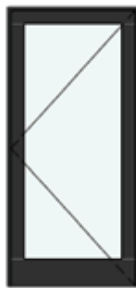

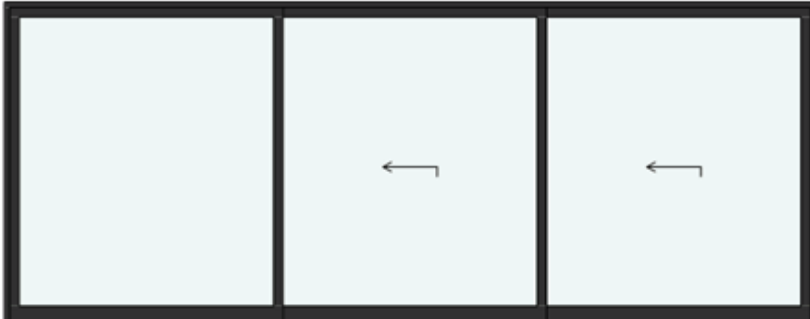
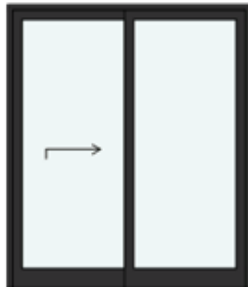




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DRAWING TITLE : <b>CABIN: 1 BED ELEVATIONS</b>		DATE : <b>18/1/21</b>
PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. : <b>DA C3.4</b>	ISSUE : <b>C</b>




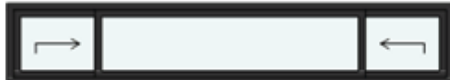





<div>  <p>GYGVG89L1B 27/01/2021</p> <p>Assessor Joshua Mollison Accreditation No. DMN1911926 Address Lot 402 Westons Road, Crackenback, NSW, 2627 <a href="https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1">https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1</a></p> </div>					ELEVATION (OPENING SIDE)	NOTES
				DOOR		THERMAL BREAK ALUMINIUM FRAMES
D02	1	2,040	820	GLAZED ENTRY DOOR		THERMAL BREAK ALUMINIUM FRAMES
SD01	3	2,400	6,000	STACKER SLIDING DOOR		THERMAL BREAK ALUMINIUM FRAMES
SD02	2	2,100	1,800	SLIDING DOOR		THERMAL BREAK ALUMINIUM FRAMES
W01	3	1,200	600	FIXED		THERMAL BREAK ALUMINIUM FRAMES
W02	3	1,200	1,200	FIXED		THERMAL BREAK ALUMINIUM FRAMES

	<b>DAVID LAW</b>	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SPECIFICATION & NOTES <b>WINDOW SCHEDULE</b>		DATE : 18/1/21
		Proposed Eco Tourist Facility Cabins Lot 402 DP 841251 Westons Rd, Crackenback For Niven Investments		PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. <b>DA N3</b>	ISSUE : <b>C</b>

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<div>  <div> <b>GYGVG89L1B 27/01/2021</b>  <b>Assessor</b> Joshua Mollison  <b>Accreditation No.</b> DMN1911926  <b>Address</b> Lot 402 Westons Road, Crackenback, NSW, 2627  <a href="https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1">https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1</a> </div> </div>					ELEVATION (OPENING SIDE)	NOTES
						THERMAL BREAK ALUMINIUM FRAMES
W04	2	2,100	600	DOUBLE HUNG		THERMAL BREAK ALUMINIUM FRAMES
W05	3	600	3,300	SLIDING		THERMAL BREAK ALUMINIUM FRAMES
W06	3	600	900	FIXED		THERMAL BREAK ALUMINIUM FRAMES
W07	1	2,100	600	DOUBLE HUNG		THERMAL BREAK ALUMINIUM FRAMES
W08	1	489	866	EXTERNAL/INTERNAL FIXED HIGHLIGHT		THERMAL BREAK ALUMINIUM FRAMES

 <b>DAVID LAW</b>	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DRAWING TITLE : <b>SPECIFICATION &amp; NOTES</b> <b>WINDOW SCHEDULE</b>		DATE : 18/1/21
	Proposed Eco Tourist Facility Cabins Lot 402 DP 841251 Westons Rd, Crackenback For Niven Investments	DATUM: ASSUMED SHEET SIZE: A3	PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. <b>DA N3</b>

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<div><div><div><div><div>6.4</div><div>Average star rating</div></div><div><div>NATIONWIDE HOUSE</div><div>ENERGY RATING SCHEME</div></div></div><div><div>GYGVG89L1B 27/01/2021</div><div>Assessor Accreditation No. DMN1911926</div><div>Address Lot 402 Westons Road, Crackenback, NSW, 2627</div><div><a href="https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1">https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1</a></div></div></div></div> <div>HIGHLIGHT</div>					ELEVATION (OPENING SIDE)	NOTES
W10	3	425	1,500	INTERNAL FIXED HIGHLIGHT		
W11I	2	489	866	INTERNAL FIXED HIGHLIGHT		



**C.** Joshua Mollison - BDAV 4959

**M.** 0422 649 295

**E.** [josh@LBSconsult.com.au](mailto:josh@LBSconsult.com.au)

**W.** [www.LBSconsult.com.au](http://www.LBSconsult.com.au)

**A.** 27 Rundle Street, Kent Town SA 5067

**P.I.** LPS016832716-12307

**LBS REFERENCE NUMBER**

LBS7299

**DATE**

Wednesday, 27 January 2021

**NCC 2019, VOL.2 ENERGY EFFICIENCY COMPLIANCE REPORT**

DEVELOPED IN ACCORDANCE WITH THE PERFORMANCE REQUIREMENTS OF THE NCC

**PROJECT ADDRESS**

Cabin A,B,C,M, Lot 402 Westons Road, Crackenback NSW 2627

**BUILDING CLASS**

Class 1

**CLIMATE ZONE**

ABCB 7 / NatHERS 69

**REPORT COMMISSIONED BY**

Dabyne Planning Pty Ltd

**CLIENT REFERENCE NUMBER**

20Westons



DESIGN | CONSULT | CONSTRUCT

[LBSconsult.com.au](http://LBSconsult.com.au)

## COMPLIANCE SUMMARY

The proposed Class 1 building has been assessed for compliance with Part 2.6 Energy Efficiency of the National Construction Code (NCC), Volume 2 using NatHERS Energy Modelling to comply with BCA, Volume 2, 3.12.0.1.

To comply with this method the building must meet the Performance Requirements of P2.6.1 and P2.6.2. The proposed development must be constructed in accordance with the following specification to achieve compliance:

### SPECIFICATION REQUIREMENTS

<b>Plans</b>	Construction as per plans Dark roof colour (SA>0.6)
<b>Insulation</b>	R4.0 insulation laid at ceiling level to all roof spaces R1.3 Anticon blanket laid at roof level to all roof spaces R2.5 insulation to all external walls R2.0 insulation to all internal framed walls R1.0 insulation under slab & to slab edge
<b>Glazing</b>	All external sliding windows and doors to meet the following total system values: U-Value: $\leq 3.65$ SHGC: $0.63 \pm 10\%$ All external fixed windows to meet the following total system values: U-Value: $\leq 3.12$ SHGC: $0.63 \pm 10\%$ All external glazed casement to meet the following total system values: U-Value: $\leq 3.68$ SHGC: $0.51 \pm 10\%$
<b>Sealing</b>	All exhaust fans sealed to outside air All external doors and Garage internal doors to be sealed in accordance with 3.12.3.3
<b>Services</b>	Lighting as per 3.12.5.5 Input Data  Additional Requirements outlined in Report Limitations (Page 4) All external walls must have: - A vapour permeable membrane installed in accordance with AS4200; or - Primary water control layer is separated from water sensitive materials by a drained cavity, installed in accordance with AS4200 Exposed slab or Tiles or Timber floor coverings to Kitchen/Living & Passageways



**P2.6.1**

Compliance with P2.6.1 is achieved when a star rating of not less than 6 stars and the separate heating and cooling load caps and not exceeded using house energy rating software<sup>1</sup>.

The proposed development achieves 6.4 Stars when assessed in accordance with BCA, Volume 2, 3.12.0.1<sup>2</sup>

	Star Rating	Heating & Cooling (MJ/m2)	Heating (MJ/m2)	Cooling (MJ/m2)
Proposed Design	6.4	267.0	241.7	25.3
NCC Requirement	6.0	298.0	N/A	N/A
P2.6.1 Compliant	✓	✓	✓	✓

At the time of the assessment not all information could be confirmed, the proposed development must be constructed in accordance with following additional requirements and information:

3.12.1.1	Installation of building fabric thermal insulation must comply with this section
3.12.1.2(c) & 3.12.1.4(d)	If applicable, Installation of thermal breaks must comply with this section
3.12.1.5(c) & 3.12.1.5(d)	If applicable, floor edge insulation requirements for slab edge insulation must comply with this section
3.12.3	Building sealing must comply with this section

**P2.6.2**

Compliance with P2.6.2 requires domestic services to have features that facilitate the efficient use of energy. This performance requirement is met by complying with the DtS requirements of Part 3.12.5- Artificial Lighting.

	Lighting Design (Watts)*	NCC Maximum (Watts)
Class 1	TBC	329
Outdoor	TBC	44
Class 10 Wattage	N/A	N/A

\*If 'TBC', lighting could not be confirmed at the time of this assessment. The lighting design must not exceed the maximum watts outlined in the table above

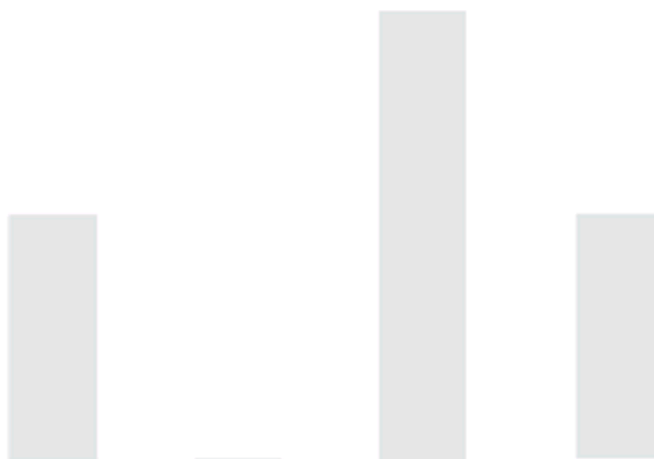
At the time of the assessment not all information could be confirmed, the proposed building must be constructed in accordance with the following additional requirements:

3.12.5.1	Thermal insulation for central heating water piping and heating and cooling ductwork to comply with this section
3.12.5.2	Central heating water piping that is not within a conditioned space must be thermal insulated in accordance with table 3.12.5.1
3.12.5.3	Specification and installation of heating and cooling ductwork must comply with this section
3.12.5.4	If applicable, electric resistance space heating systems must comply with this section
3.12.5.5	Artificial Lighting must comply with this section
3.12.5.6	Heated water supply system must be designed and installed in accordance with Part B2 of NCC Volume 3 - Plumbing Code of Australia
3.12.5.7	If applicable, all swimming pool heating must comply with this section

<sup>1</sup> Software accredited under the Nationwide House Energy Rating Scheme and is limited to assessing the potential thermal efficiency of the dwelling envelope.

<sup>2</sup> Refer to attached certificate





### **DISCLAIMER**

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## Nationwide House Energy Rating Scheme

### NatHERS Certificate No. QMYVAES4WN

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21)

#### Property

**Address** A, Westons Road, Crackenback, NSW, 2627  
**Lot/DP** 402  
**NCC Class\*** Class 1a  
**Type** New Home

#### Plans

**Main plan** -  
**Prepared by** -

#### Construction and environment

<b>Assessed floor area (m<sup>2</sup>)*</b>	<b>Exposure type</b>
Conditioned* 61.6	suburban
Unconditioned* 4.2	<b>NatHERS climate zone</b>
Total 65.8	69, Crackenback
Garage -	



#### Accredited assessor

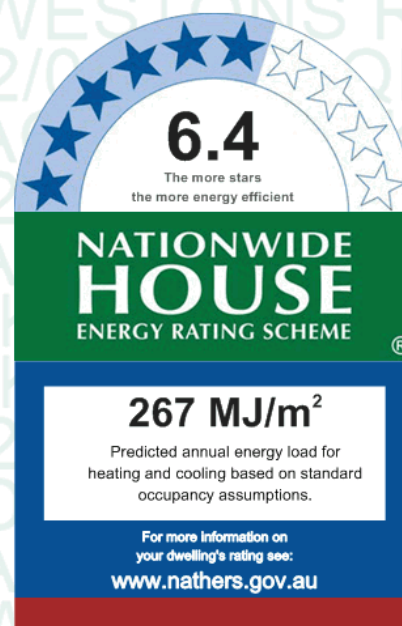
**Name** Joshua Mollison  
**Business name** Living Building Solutions  
**Email** res@livingbuildingsolutions.com.au  
**Phone** 0422649295  
**Accreditation No.** DMN/19/1926  
**Assessor Accrediting Organisation** DMN  
**Declaration of interest** Declaration completed: no conflicts

#### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.



#### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>241.7</b>	<b>25.3</b>
<b>MJ/m<sup>2</sup></b>	<b>MJ/m<sup>2</sup></b>

#### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

#### Verification

To verify this certificate, scan the QR code or visit <https://www.fr5.com.au/QRCodeLanding?PublicId=QMYVAES4WN> When using either link, ensure you are visiting [www.FR5.com.au](http://www.FR5.com.au).



\* Refer to glossary.

## QMYVAES4WN NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Certificate Check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

## Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page?  
Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

## Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

## Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

## Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

## Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

## Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional Notes

Window and glazed door *type and performance*

## Default\* windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
				No Data Available	

## Custom\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
A&L-013-01 A	AI Sliding Door DG 4/10/4	3.65	0.63	0.6	0.66
A&L-026-01 A	AI Boutique Fixed Lite Window DG 3/12/3	3.12	0.69	0.66	0.72

Window and glazed door *Schedule*

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Entry	A&L-013-01 A	Opening 16	2040	920	casement	100.0	SE	No
Kitchen/Living	A&L-013-01 A	Opening 17	2400	6000	sliding	60.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 18	1200	600	fixed	0.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 19	1200	1200	fixed	0.0	SW	No

\* Refer to glossary.

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21) for A, Westons Road, Crackenback

## QMYVAES4WN NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Bedroom 1	A&L-013-01 A	Opening 20	2100	1800	sliding	45.0	NW	No
Bedroom 1	A&L-013-01 A	Opening 21	600	2400	sliding	45.0	SW	No
Bedroom 2	A&L-013-01 A	Opening 14	600	3300	sliding	45.0	SE	No
Bedroom 2	A&L-026-01 A	Opening 15	600	900	fixed	0.0	NE	No
Bath	A&L-013-01 A	Opening 13	2100	600	double_hung	45.0	SE	No

## Roof window type and performance value

Default\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Indoor shade
No Data Available							

## Skylight type and performance

Skylight ID	Skylight description
No Data Available	

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
No Data Available								

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
No Data Available				

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
1	FR5 - Fibro Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No
2	FR5 - Metal Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No

## External wall schedule

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
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\* Refer to glossary.

Page 3 of 7

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## QMYVAES4WN NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Entry	1	2500	1675	SE	2273	Yes
Entry	1	2500	1693	NE	4155	No
Kitchen/Living	1	2850	3865	NE	4156	No
Kitchen/Living	2	3001	802	NW	1481	Yes
Kitchen/Living	2	3000	7291	NW	1481	Yes
Kitchen/Living	2	2850	3675	SW	1940	Yes
Bedroom 1	2	2400	3268	SE	103	No
Bedroom 1	2	2600	1828	NW	5151	Yes
Bedroom 1	2	2500	436	SW	0	No
Bedroom 1	2	2500	3010	SW	591	No
Bedroom 1	2	2400	739	SW	0	No
Bedroom 2	2	2400	3284	SE	0	No
Bedroom 2	2	2500	2183	NE	1769	Yes
Bath	2	2400	1474	SE	101	No

## Internal wall type

Wall ID	Wall type	Area (m²)	Bulk insulation
1	FR5 - Internal Plasterboard Stud Wall	43.5	

## Floor type

Location	Construction	Area (m²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Entry	FR5 - CSOG: Slab on Ground	2.8	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	20	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	12.8	Enclosed	R1.0	Timber
Bedroom 1	FR5 - CSOG: Slab on Ground	13.2	Enclosed	R1.0	Carpet
Bedroom 2	FR5 - CSOG: Slab on Ground	12.7	Enclosed	R1.0	Carpet
Bath	FR5 - CSOG: Slab on Ground	4.2	Enclosed	R1.0	Tiles

## Ceiling type

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Entry	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Bedroom 1	Plasterboard	R4.0	Yes
Bedroom 2	Plasterboard	R4.0	Yes
Bath	Plasterboard	R4.0	Yes

## Ceiling penetrations\*

Location	Quantity	Type	Diameter (mm)	Sealed/unsealed
Kitchen/Living	1	Exhaust Fans	300	Sealed
Bath	1	Exhaust Fans	300	Sealed

\* Refer to glossary.

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21) for A, Westons Road, Crackenback

QMYVAES4WN NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



### Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

### Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Framed:Flat - Flat Framed (Metal Deck)	1.3	0.6	Dark

\* Refer to glossary.



## QMYVAES4WN NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Explanatory Notes

## About this report

A NatHERS rating is a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate an energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances or energy production of solar panels.

Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

## Accredited assessors

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Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

## Glossary

<b>Annual energy load</b>	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
<b>Assessed floor area</b>	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
<b>Ceiling penetrations</b>	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
<b>Conditioned</b>	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
<b>Custom windows</b>	windows listed in NatHERS software that are available on the market in Australia and have a WERS (Window Energy Rating Scheme) rating.
<b>Default windows</b>	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
<b>Entrance door</b>	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
<b>Exposure category - exposed</b>	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
<b>Exposure category - open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m, farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category - suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category - protected</b>	terrain with numerous, closely spaced obstructions over 10 m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.

\* Refer to glossary.

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## QMYVAES4WN NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening Percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap</b> (also known as foil)	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight</b> (also known as roof lights)	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).

\* Refer to glossary.

## Nationwide House Energy Rating Scheme

### NatHERS Certificate No. TK9A9LX0KB

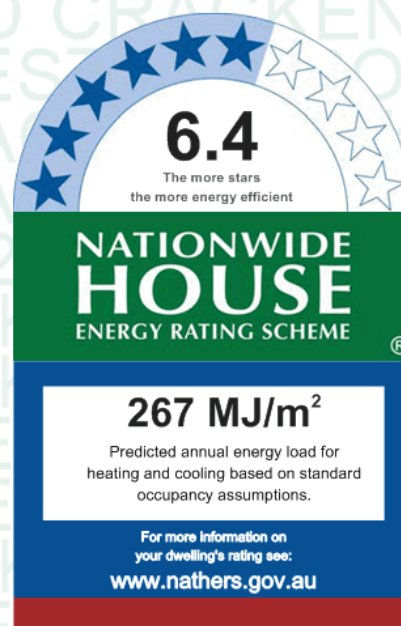
Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21)

#### Property

**Address** B, Westons Road, Crackenback, NSW, 2627  
**Lot/DP** 402  
**NCC Class\*** Class 1a  
**Type** New Home

#### Plans

**Main plan** -  
**Prepared by** -



#### Construction and environment

<b>Assessed floor area (m²)*</b>	<b>Exposure type</b>
Conditioned* 61.6	suburban
Unconditioned* 4.2	<b>NatHERS climate zone</b>
Total 65.8	69, Crackenback
Garage -	

#### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>241.7</b>	<b>25.3</b>
<b>MJ/m²</b>	<b>MJ/m²</b>

#### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.



#### Accredited assessor

**Name** Joshua Mollison  
**Business name** Living Building Solutions  
**Email** res@livingbuildingsolutions.com.au  
**Phone** 0422649295  
**Accreditation No.** DMN/19/1926  
**Assessor Accrediting Organisation** DMN  
**Declaration of interest** Declaration completed: no conflicts

#### Verification

To verify this certificate, scan the QR code or visit <https://www.fr5.com.au/QRCodeLanding?PublicId=TK9A9LX0KB> When using either link, ensure you are visiting [www.FR5.com.au](http://www.FR5.com.au).



#### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.

\* Refer to glossary.

## TK9A9LX0KB NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Certificate Check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

## Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page?  
Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

## Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

## Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

## Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

## Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

## Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional Notes

Window and glazed door *type and performance*

## Default\* windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

## Custom\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
A&L-013-01 A	Al Sliding Door DG 4/10/4	3.65	0.63	0.6	0.66
A&L-026-01 A	Al Boutique Fixed Lite Window DG 3/12/3	3.12	0.69	0.66	0.72

Window and glazed door *Schedule*

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Entry	A&L-013-01 A	Opening 16	2040	920	casement	100.0	SE	No
Kitchen/Living	A&L-013-01 A	Opening 17	2400	6000	sliding	60.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 18	1200	600	fixed	0.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 19	1200	1200	fixed	0.0	SW	No

\* Refer to glossary.

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## TK9A9LX0KB NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Bedroom 1	A&L-013-01 A	Opening 20	2100	1800	sliding	45.0	NW	No
Bedroom 1	A&L-013-01 A	Opening 21	600	2400	sliding	45.0	SW	No
Bedroom 2	A&L-013-01 A	Opening 14	600	3300	sliding	45.0	SE	No
Bedroom 2	A&L-026-01 A	Opening 15	600	900	fixed	0.0	NE	No
Bath	A&L-013-01 A	Opening 13	2100	600	double_hung	45.0	SE	No

## Roof window type and performance value

Default\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Indoor shade
No Data Available							

## Skylight type and performance

Skylight ID	Skylight description
No Data Available	

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
No Data Available								

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
No Data Available				

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
1	FR5 - Fibro Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No
2	FR5 - Metal Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No

## External wall schedule

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
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\* Refer to glossary.

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## TK9A9LX0KB NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Entry	1	2500	1675	SE	2273	Yes
Entry	1	2500	1693	NE	4155	No
Kitchen/Living	1	2850	3865	NE	4156	No
Kitchen/Living	2	3001	802	NW	1481	Yes
Kitchen/Living	2	3000	7291	NW	1481	Yes
Kitchen/Living	2	2850	3675	SW	1940	Yes
Bedroom 1	2	2400	3268	SE	103	No
Bedroom 1	2	2600	1828	NW	5151	Yes
Bedroom 1	2	2500	436	SW	0	No
Bedroom 1	2	2500	3010	SW	591	No
Bedroom 1	2	2400	739	SW	0	No
Bedroom 2	2	2400	3284	SE	0	No
Bedroom 2	2	2500	2183	NE	1769	Yes
Bath	2	2400	1474	SE	101	No

## Internal wall type

Wall ID	Wall type	Area (m²)	Bulk insulation
1	FR5 - Internal Plasterboard Stud Wall	43.5	

## Floor type

Location	Construction	Area (m²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Entry	FR5 - CSOG: Slab on Ground	2.8	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	20	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	12.8	Enclosed	R1.0	Timber
Bedroom 1	FR5 - CSOG: Slab on Ground	13.2	Enclosed	R1.0	Carpet
Bedroom 2	FR5 - CSOG: Slab on Ground	12.7	Enclosed	R1.0	Carpet
Bath	FR5 - CSOG: Slab on Ground	4.2	Enclosed	R1.0	Tiles

## Ceiling type

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Entry	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Bedroom 1	Plasterboard	R4.0	Yes
Bedroom 2	Plasterboard	R4.0	Yes
Bath	Plasterboard	R4.0	Yes

## Ceiling penetrations\*

Location	Quantity	Type	Diameter (mm)	Sealed/unsealed
Kitchen/Living	1	Exhaust Fans	300	Sealed
Bath	1	Exhaust Fans	300	Sealed

\* Refer to glossary.

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Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21) for B, Westons Road, Crackenback

TK9A9LX0KB NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



### Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

### Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Framed:Flat - Flat Framed (Metal Deck)	1.3	0.6	Dark

\* Refer to glossary.



## TK9A9LX0KB NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Explanatory Notes

## About this report

A NatHERS rating is a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate an energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances or energy production of solar panels.

Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

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Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21) for B, Westons Road, Crackenback

## TK9A9LX0KB NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



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<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight</b> (also known as roof lights)	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).

\* Refer to glossary.

## Nationwide House Energy Rating Scheme

### NatHERS Certificate No. GA6CLGMB6D

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21)

#### Property

**Address** C, Westons Road, Crackenback, NSW, 2627  
**Lot/DP** 402  
**NCC Class\*** Class 1a  
**Type** New Home

#### Plans

**Main plan** -  
**Prepared by** -

#### Construction and environment

<b>Assessed floor area (m²)*</b>	<b>Exposure type</b>
Conditioned* 61.6	suburban
Unconditioned* 4.2	<b>NatHERS climate zone</b>
Total 65.8	69, Crackenback
Garage -	



#### Accredited assessor

**Name** Joshua Mollison  
**Business name** Living Building Solutions  
**Email** res@livingbuildingsolutions.com.au  
**Phone** 0422649295  
**Accreditation No.** DMN/19/1926  
**Assessor Accrediting Organisation** DMN  
**Declaration of interest** Declaration completed: no conflicts

#### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.



#### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>241.7</b>	<b>25.3</b>
<b>MJ/m²</b>	<b>MJ/m²</b>

#### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

#### Verification

To verify this certificate, scan the QR code or visit <https://www.fr5.com.au/QRCodeLanding?PublicId=GA6CLGMB6D> When using either link, ensure you are visiting [www.FR5.com.au](http://www.FR5.com.au).



\* Refer to glossary.



## GA6CLGMB6D NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Certificate Check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

## Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page?  
Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

## Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

## Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

## Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

## Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

## Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional Notes

Window and glazed door *type and performance*

## Default\* windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
				No Data Available	

## Custom\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
A&L-013-01 A	AI Sliding Door DG 4/10/4	3.65	0.63	0.6	0.66
A&L-026-01 A	AI Boutique Fixed Lite Window DG 3/12/3	3.12	0.69	0.66	0.72

Window and glazed door *Schedule*

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Entry	A&L-013-01 A	Opening 16	2040	920	casement	100.0	SE	No
Kitchen/Living	A&L-013-01 A	Opening 17	2400	6000	sliding	60.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 18	1200	600	fixed	0.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 19	1200	1200	fixed	0.0	SW	No

\* Refer to glossary.

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## GA6CLGMB6D NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Bedroom 1	A&L-013-01 A	Opening 20	2100	1800	sliding	45.0	NW	No
Bedroom 1	A&L-013-01 A	Opening 21	600	2400	sliding	45.0	SW	No
Bedroom 2	A&L-013-01 A	Opening 14	600	3300	sliding	45.0	SE	No
Bedroom 2	A&L-026-01 A	Opening 15	600	900	fixed	0.0	NE	No
Bath	A&L-013-01 A	Opening 13	2100	600	double_hung	45.0	SE	No

## Roof window type and performance value

Default\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Indoor shade
No Data Available							

## Skylight type and performance

Skylight ID	Skylight description
No Data Available	

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
No Data Available								

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
No Data Available				

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
1	FR5 - Fibro Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No
2	FR5 - Metal Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No

## External wall schedule

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
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\* Refer to glossary.

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## GA6CLGMB6D NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Entry	1	2500	1675	SE	2273	Yes
Entry	1	2500	1693	NE	4155	No
Kitchen/Living	1	2850	3865	NE	4156	No
Kitchen/Living	2	3001	802	NW	1481	Yes
Kitchen/Living	2	3000	7291	NW	1481	Yes
Kitchen/Living	2	2850	3675	SW	1940	Yes
Bedroom 1	2	2400	3268	SE	103	No
Bedroom 1	2	2600	1828	NW	5151	Yes
Bedroom 1	2	2500	436	SW	0	No
Bedroom 1	2	2500	3010	SW	591	No
Bedroom 1	2	2400	739	SW	0	No
Bedroom 2	2	2400	3284	SE	0	No
Bedroom 2	2	2500	2183	NE	1769	Yes
Bath	2	2400	1474	SE	101	No

## Internal wall type

Wall ID	Wall type	Area (m²)	Bulk insulation
1	FR5 - Internal Plasterboard Stud Wall	43.5	

## Floor type

Location	Construction	Area (m²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Entry	FR5 - CSOG: Slab on Ground	2.8	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	20	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	12.8	Enclosed	R1.0	Timber
Bedroom 1	FR5 - CSOG: Slab on Ground	13.2	Enclosed	R1.0	Carpet
Bedroom 2	FR5 - CSOG: Slab on Ground	12.7	Enclosed	R1.0	Carpet
Bath	FR5 - CSOG: Slab on Ground	4.2	Enclosed	R1.0	Tiles

## Ceiling type

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Entry	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Bedroom 1	Plasterboard	R4.0	Yes
Bedroom 2	Plasterboard	R4.0	Yes
Bath	Plasterboard	R4.0	Yes

## Ceiling penetrations\*

Location	Quantity	Type	Diameter (mm)	Sealed/unsealed
Kitchen/Living	1	Exhaust Fans	300	Sealed
Bath	1	Exhaust Fans	300	Sealed

\* Refer to glossary.

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GA6CLGMB6D NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



### Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

### Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Framed:Flat - Flat Framed (Metal Deck)	1.3	0.6	Dark

\* Refer to glossary.

## GA6CLGMB6D NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Explanatory Notes

## About this report

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Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

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Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

## Glossary

<b>Annual energy load</b>	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
<b>Assessed floor area</b>	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
<b>Ceiling penetrations</b>	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
<b>Conditioned</b>	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
<b>Custom windows</b>	windows listed in NatHERS software that are available on the market in Australia and have a WERS (Window Energy Rating Scheme) rating.
<b>Default windows</b>	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
<b>Entrance door</b>	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
<b>Exposure category - exposed</b>	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
<b>Exposure category - open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m, farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category - suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category - protected</b>	terrain with numerous, closely spaced obstructions over 10 m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.

\* Refer to glossary.

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## GA6CLGMB6D NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening Percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap</b> (also known as foil)	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight</b> (also known as roof lights)	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).

\* Refer to glossary.



## Nationwide House Energy Rating Scheme

### NatHERS Certificate No. FPFQGMKKH

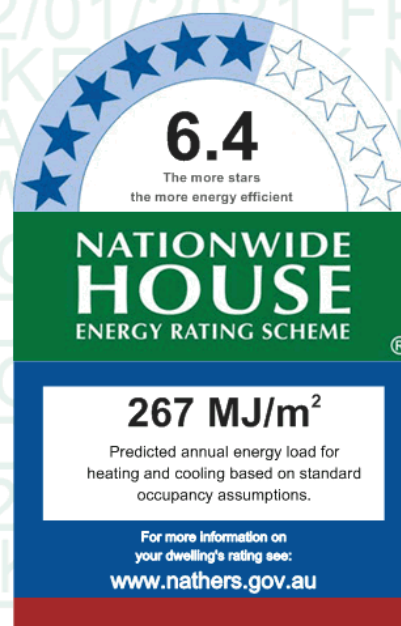
Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21)

#### Property

**Address** M, Westons Road, Crackenback, NSW, 2627  
**Lot/DP** 402  
**NCC Class\*** Class 1a  
**Type** New Home

#### Plans

**Main plan** -  
**Prepared by** -



#### Construction and environment

<b>Assessed floor area (m²)*</b>	<b>Exposure type</b>
Conditioned* 61.6	suburban
Unconditioned* 4.2	<b>NatHERS climate zone</b>
Total 65.8	69, Crackenback
Garage -	

#### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>241.7</b>	<b>25.3</b>
<b>MJ/m²</b>	<b>MJ/m²</b>

#### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.



#### Accredited assessor

**Name** Joshua Mollison  
**Business name** Living Building Solutions  
**Email** res@livingbuildingsolutions.com.au  
**Phone** 0422649295  
**Accreditation No.** DMN/19/1926  
**Assessor Accrediting Organisation** DMN  
**Declaration of interest** Declaration completed: no conflicts

#### Verification

To verify this certificate, scan the QR code or visit <https://www.fr5.com.au/QRCodeLanding?PublicId=FPFQGMKKH> When using either link, ensure you are visiting [www.FR5.com.au](http://www.FR5.com.au).



#### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.

\* Refer to glossary.



## FPFPQGMKKH NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



## Certificate Check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

## Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page?  
Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

## Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

## Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

## Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

## Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

## Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional Notes

Window and glazed door *type and performance*

## Default\* windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
				No Data Available	

## Custom\* windows

Window ID	Window description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
A&L-013-01 A	AI Sliding Door DG 4/10/4	3.65	0.63	0.6	0.66
A&L-026-01 A	AI Boutique Fixed Lite Window DG 3/12/3	3.12	0.69	0.66	0.72

Window and glazed door *Schedule*

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Entry	A&L-013-01 A	Opening 16	2040	920	casement	100.0	SE	No
Kitchen/Living	A&L-013-01 A	Opening 17	2400	6000	sliding	60.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 18	1200	600	fixed	0.0	NW	No
Kitchen/Living	A&L-026-01 A	Opening 19	1200	1200	fixed	0.0	SW	No

\* Refer to glossary.

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## FFPQGMKKH NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



Bedroom 1	A&L-013-01 A	Opening 20	2100	1800	sliding	45.0	NW	No
Bedroom 1	A&L-013-01 A	Opening 21	600	2400	sliding	45.0	SW	No
Bedroom 2	A&L-013-01 A	Opening 14	600	3300	sliding	45.0	SE	No
Bedroom 2	A&L-026-01 A	Opening 15	600	900	fixed	0.0	NE	No
Bath	A&L-013-01 A	Opening 13	2100	600	double_hung	45.0	SE	No

## Roof window type and performance value

Default\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

				Substitution tolerance ranges	
Window ID	Window description	Maximum U-value*	SHGC*	SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Indoor shade
No Data Available							

## Skylight type and performance

Skylight ID	Skylight description
No Data Available	

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
No Data Available								

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
No Data Available				

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
1	FR5 - Fibro Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No
2	FR5 - Metal Clad Framed	0.5	Medium	Glass fibre batt: R2.5 (R2.5)	No

## External wall schedule

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
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\* Refer to glossary.

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## FFPQGMKKH NatHERS Certificate

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Entry	1	2500	1675	SE	2273	Yes
Entry	1	2500	1693	NE	4155	No
Kitchen/Living	1	2850	3865	NE	4156	No
Kitchen/Living	2	3001	802	NW	1481	Yes
Kitchen/Living	2	3000	7291	NW	1481	Yes
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Bedroom 2	2	2400	3284	SE	0	No
Bedroom 2	2	2500	2183	NE	1769	Yes
Bath	2	2400	1474	SE	101	No

## Internal wall type

Wall ID	Wall type	Area (m²)	Bulk insulation
1	FR5 - Internal Plasterboard Stud Wall	43.5	

## Floor type

Location	Construction	Area (m²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Entry	FR5 - CSOG: Slab on Ground	2.8	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	20	Enclosed	R1.0	Timber
Kitchen/Living	FR5 - CSOG: Slab on Ground	12.8	Enclosed	R1.0	Timber
Bedroom 1	FR5 - CSOG: Slab on Ground	13.2	Enclosed	R1.0	Carpet
Bedroom 2	FR5 - CSOG: Slab on Ground	12.7	Enclosed	R1.0	Carpet
Bath	FR5 - CSOG: Slab on Ground	4.2	Enclosed	R1.0	Tiles

## Ceiling type

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Entry	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Kitchen/Living	Plasterboard	R4.0	Yes
Bedroom 1	Plasterboard	R4.0	Yes
Bedroom 2	Plasterboard	R4.0	Yes
Bath	Plasterboard	R4.0	Yes

## Ceiling penetrations\*

Location	Quantity	Type	Diameter (mm)	Sealed/unsealed
Kitchen/Living	1	Exhaust Fans	300	Sealed
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FPPQGMKKH NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



### Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

### Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Framed:Flat - Flat Framed (Metal Deck)	1.3	0.6	Dark

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## FFPQGMKKH NatHERS Certificate

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## Explanatory Notes

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<b>Exposure category - open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m, farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category - suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category - protected</b>	terrain with numerous, closely spaced obstructions over 10 m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.

\* Refer to glossary.

Generated on 22 Jan 2021 using FirstRate5: 5.3.0a (3.21) for M, Westons Road, Crackenback



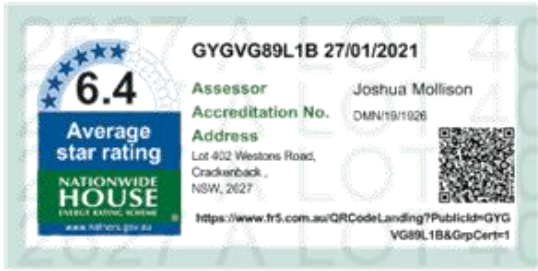
## FFFPQGMKKH NatHERS Certificate

6.4 Star Rating as of 22 Jan 2021



<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening Percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap</b> (also known as foil)	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight</b> (also known as roof lights)	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).

\* Refer to glossary.



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251, Westons Rd, Crackenback, 2627  
for  
Niven Investments



IMAGE FROM MAPS.SIX.NSW.GOV.AU

SITE AERIAL LOCATION PLAN NOT TO SCALE

**Project Consultants**  
Refer to consultant documentation when directed  
- Planning Consultant - Dabyne Planning



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DRAWING TITLE :  
**SITE AND LOCATION  
LOCATION PLAN**

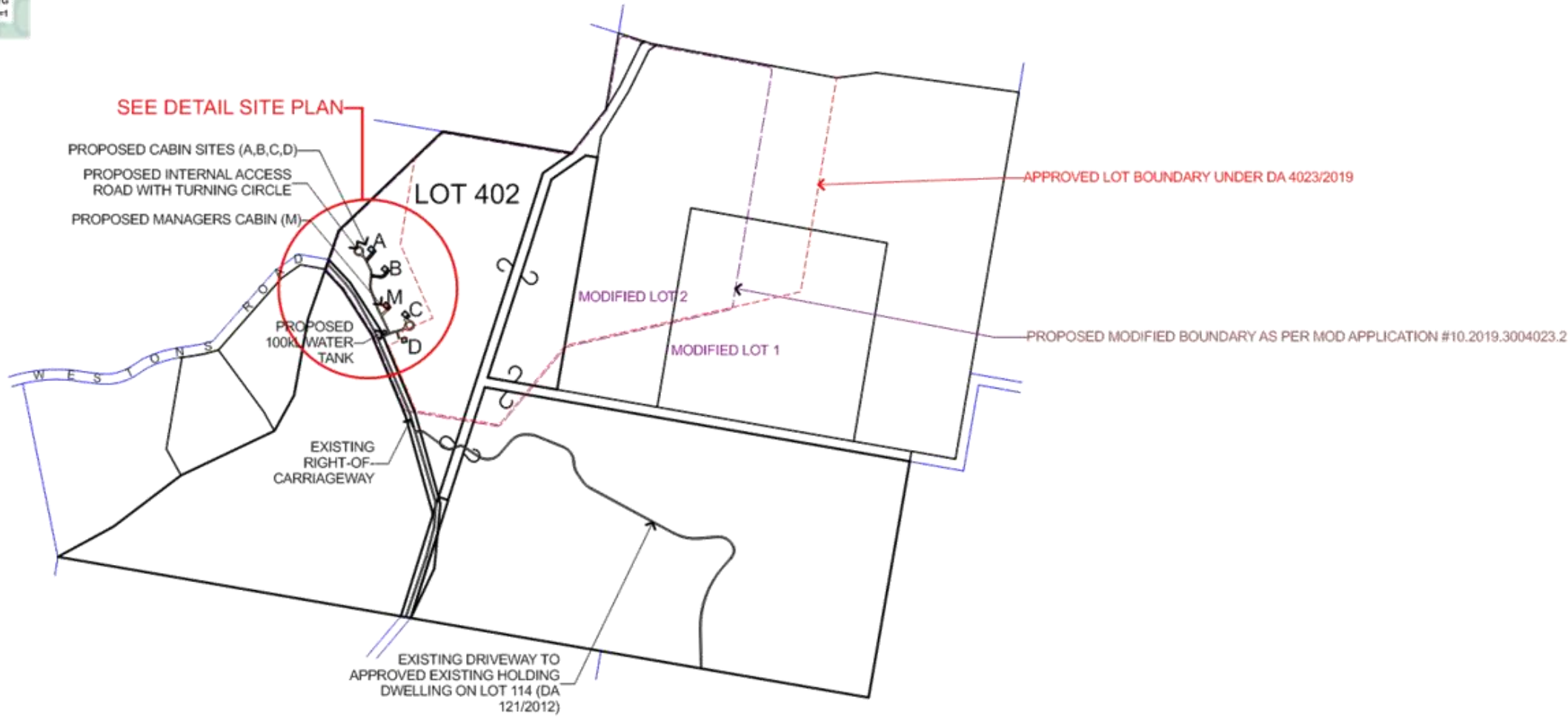
DATE :  
18/1/21

PROJECT NAME :  
**Niven Investments - Eco**

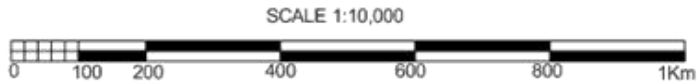
DRAWING NO.  
**DA G1**

ISSUE :  
**C**





SITE OVERALL SITE PLAN 1:10000



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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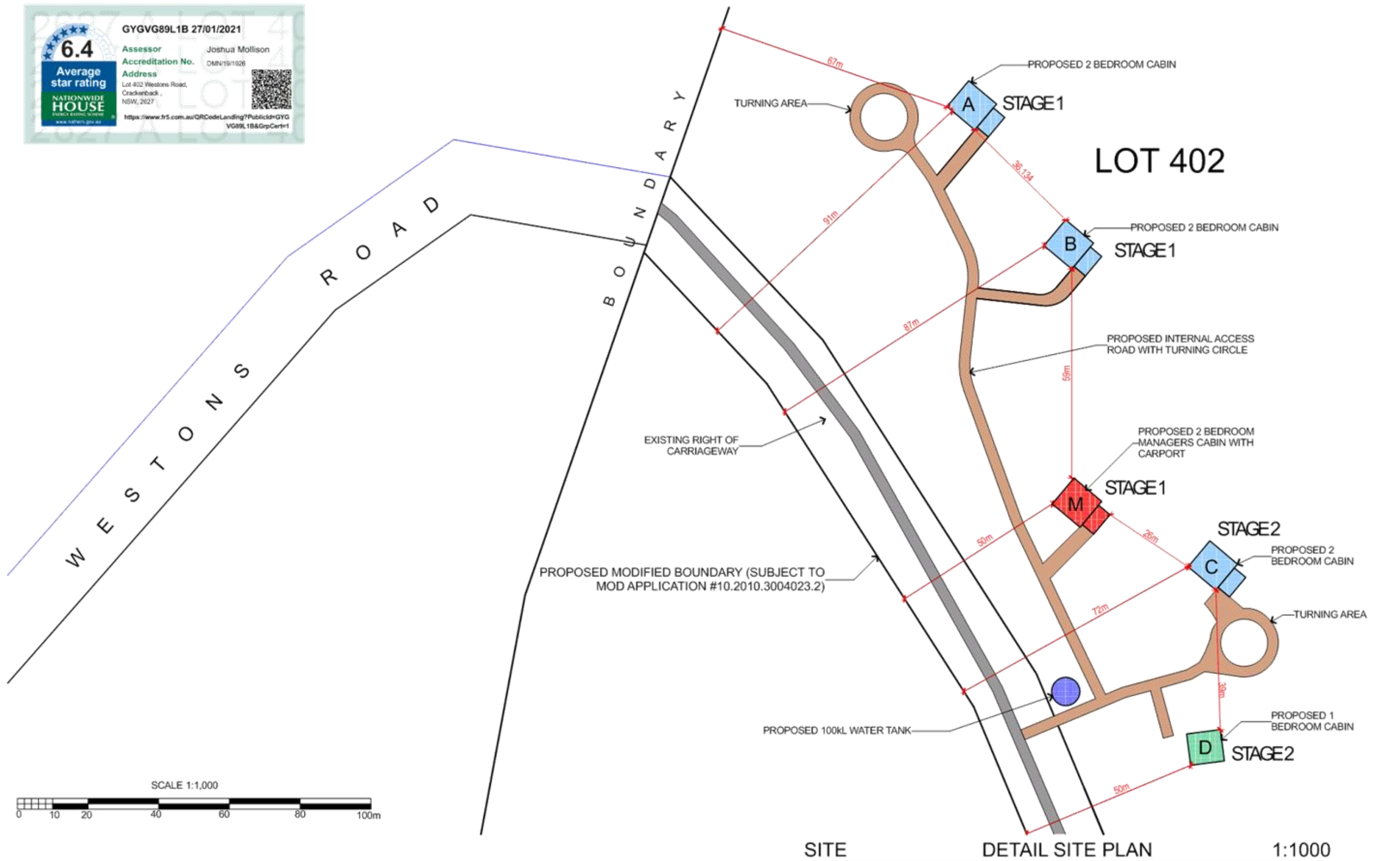
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**SITE AND LOCATION  
SITE PLAN**

DATE :  
**18/1/21**

PROJECT NAME :  
**Niven Investments - Eco**

DRAWING NO.:  
**DA G2**

ISSUE :  
**C**



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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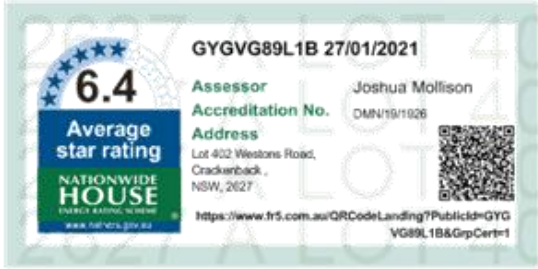
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DRAWING TITLE:  
**SITE AND LOCATION  
DETAIL SITE PLAN**

PROJECT NAME:  
**Niven Investments - Eco**

DRAWING NO.  
**DA G3**

DATE:  
**18/1/21**  
ISSUE:  
**C**



CABIN: MANAGER 3D VIEW NW



CABIN: MANAGER 3D VIEW SW

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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DRAWING TITLE :

**CABIN: MANAGER  
PERSPECTIVES**

DATE :

18/1/21

PROJECT NAME :

**Niven Investments - Eco**

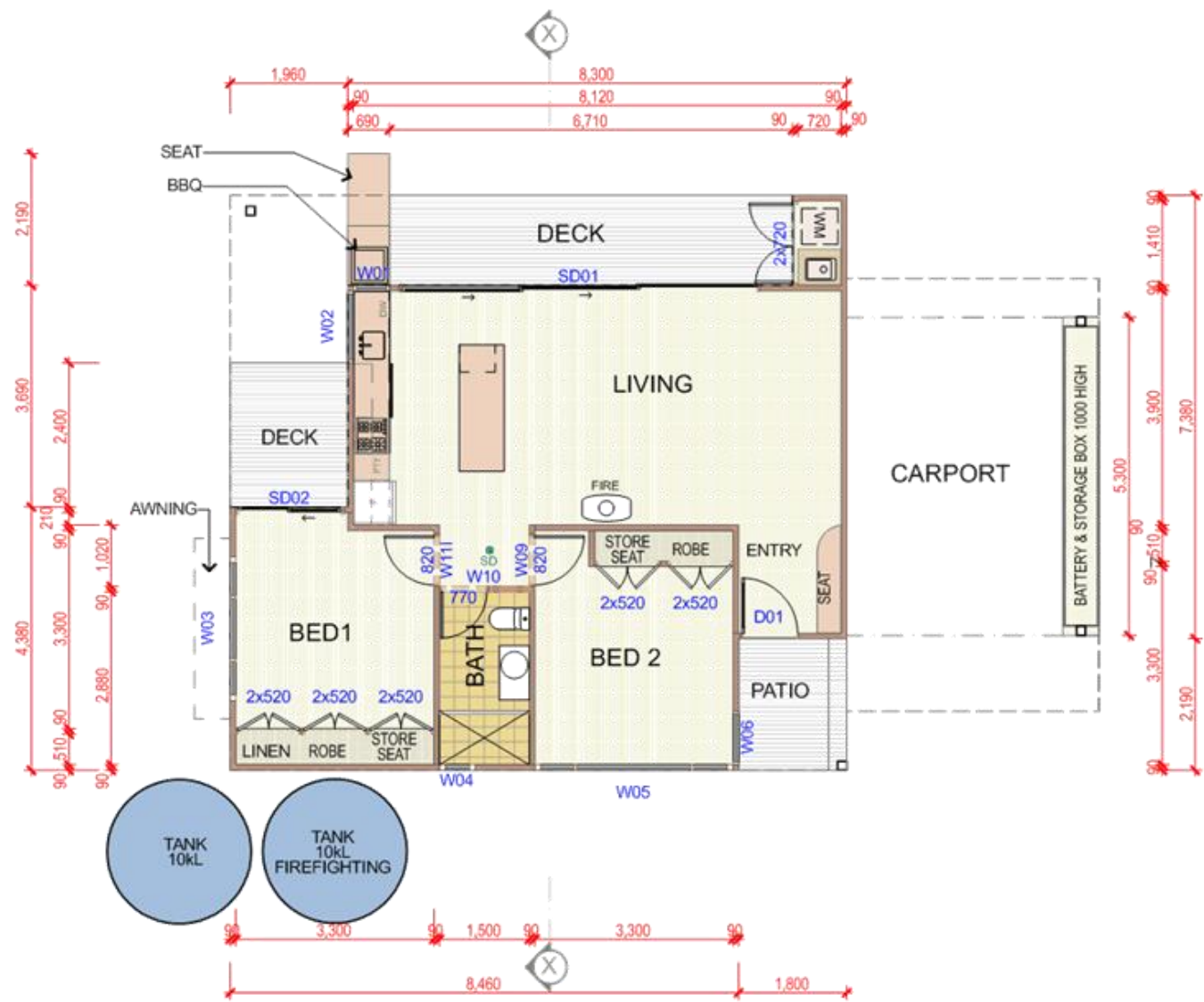
DRAWING NO.:

**DA C1.1**

ISSUE :

**C**





MANAGERS CABIN FLOOR PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments

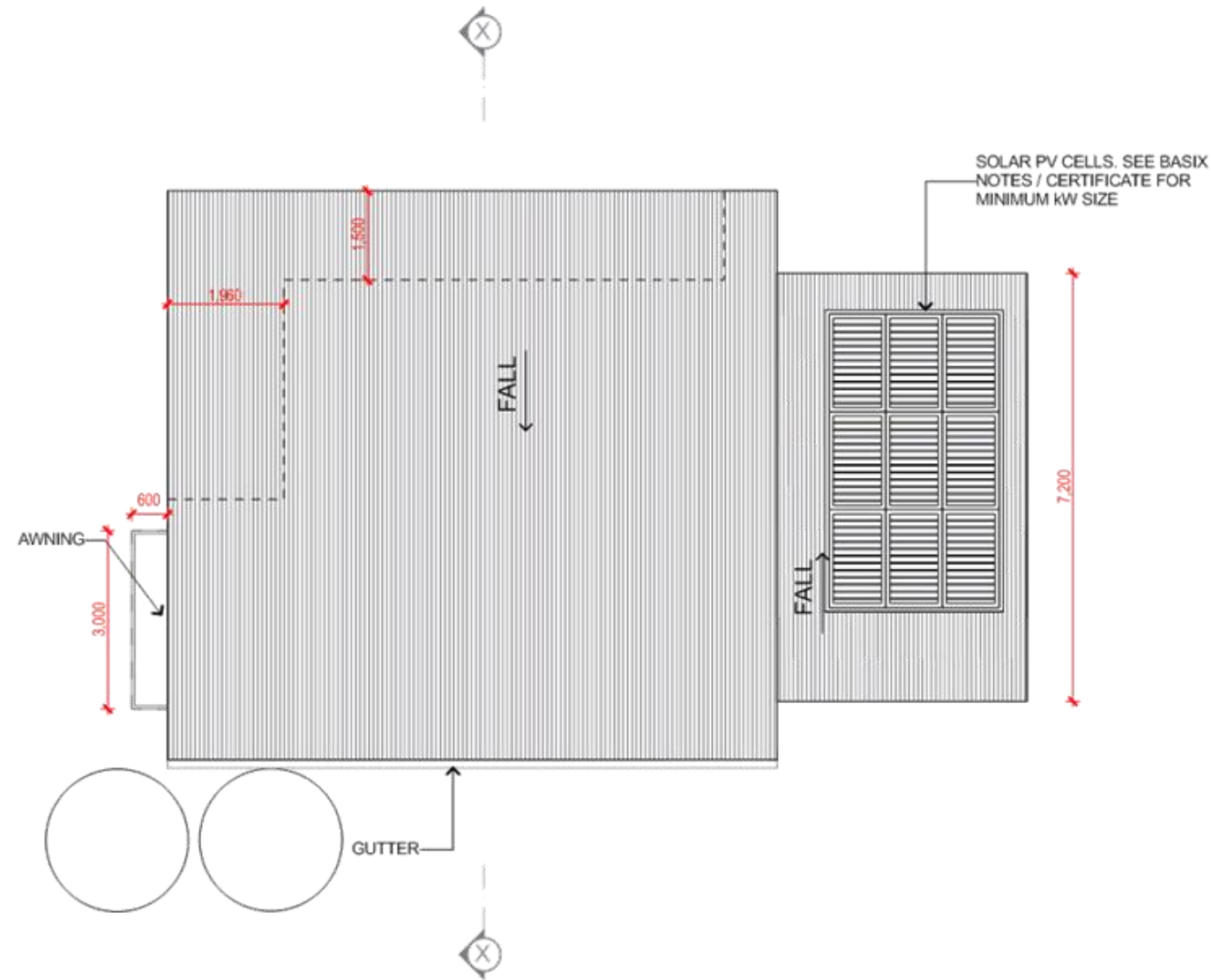
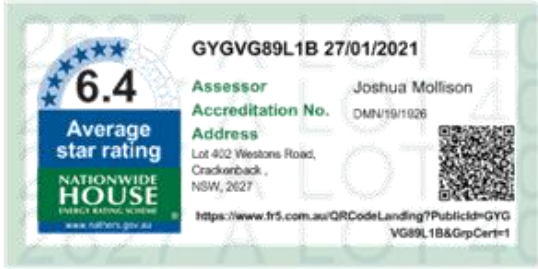


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PROJECT NAME :	DRAWING NO. :	ISSUE :	
Niven Investments - Eco	DA C1.2	C	



CABIN: MANAGERS ROOF PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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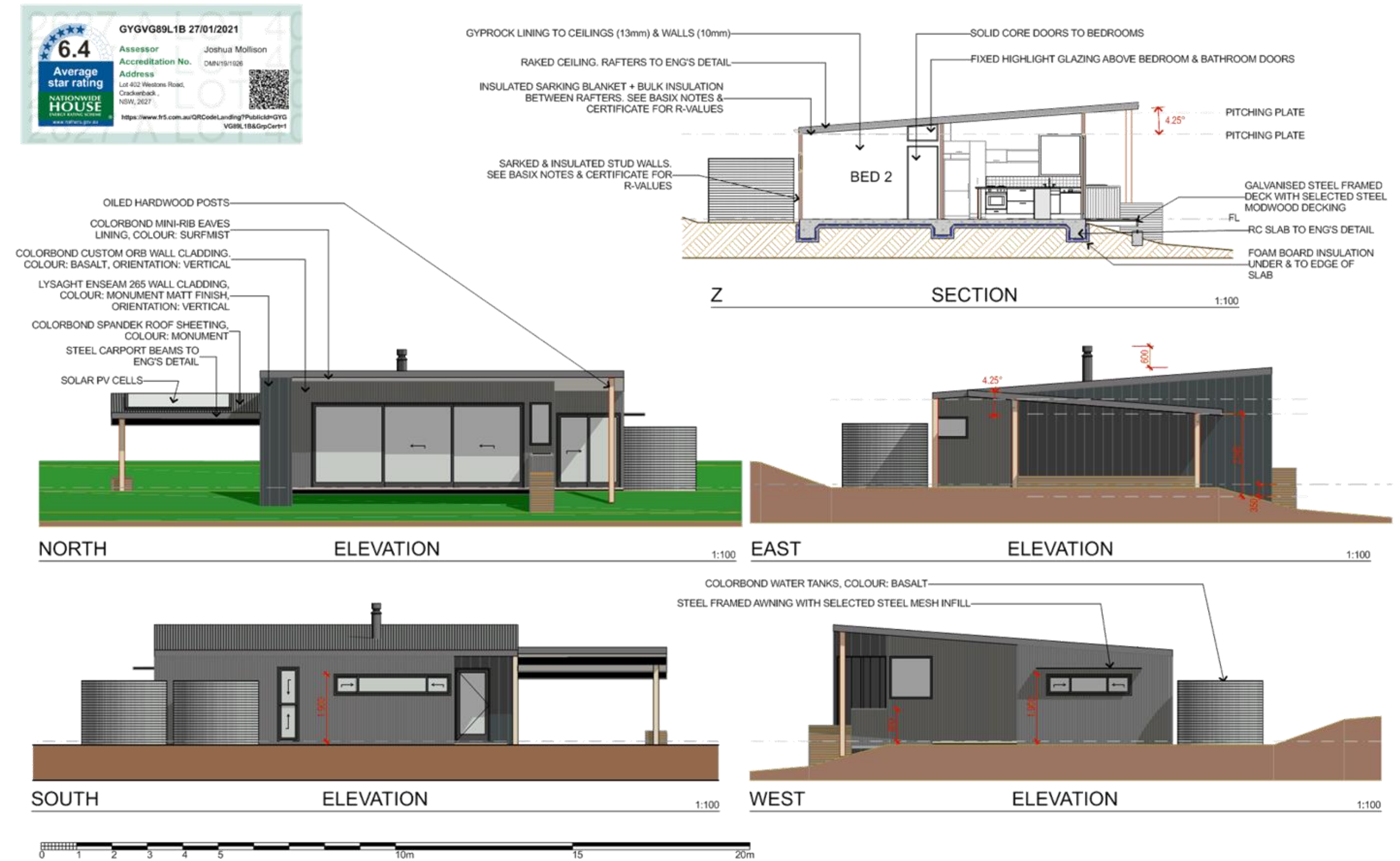
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ROOF PLAN**

DATE :  
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PROJECT NAME :  
**Niven Investments - Eco**

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**DA C1.3**

ISSUE :  
**C**



Proposed Eco Tourist Facility Cabins  
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DRAWING TITLE :

**CABIN: MANAGER  
ELEVATIONS**

DATE :  
18/1/21

PROJECT NAME :

**Niven Investments - Eco**

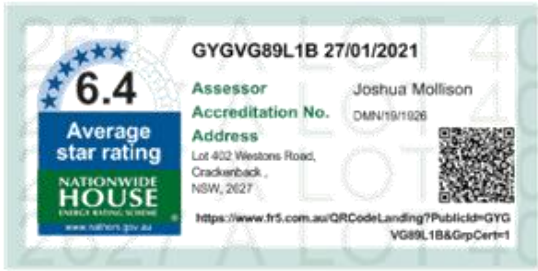
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**DA C1.4**

ISSUE :

**C**





CABIN: 2 BEDROOM 3D VIEW NW



CABIN: 2 BEDROOM 3D VIEW SE

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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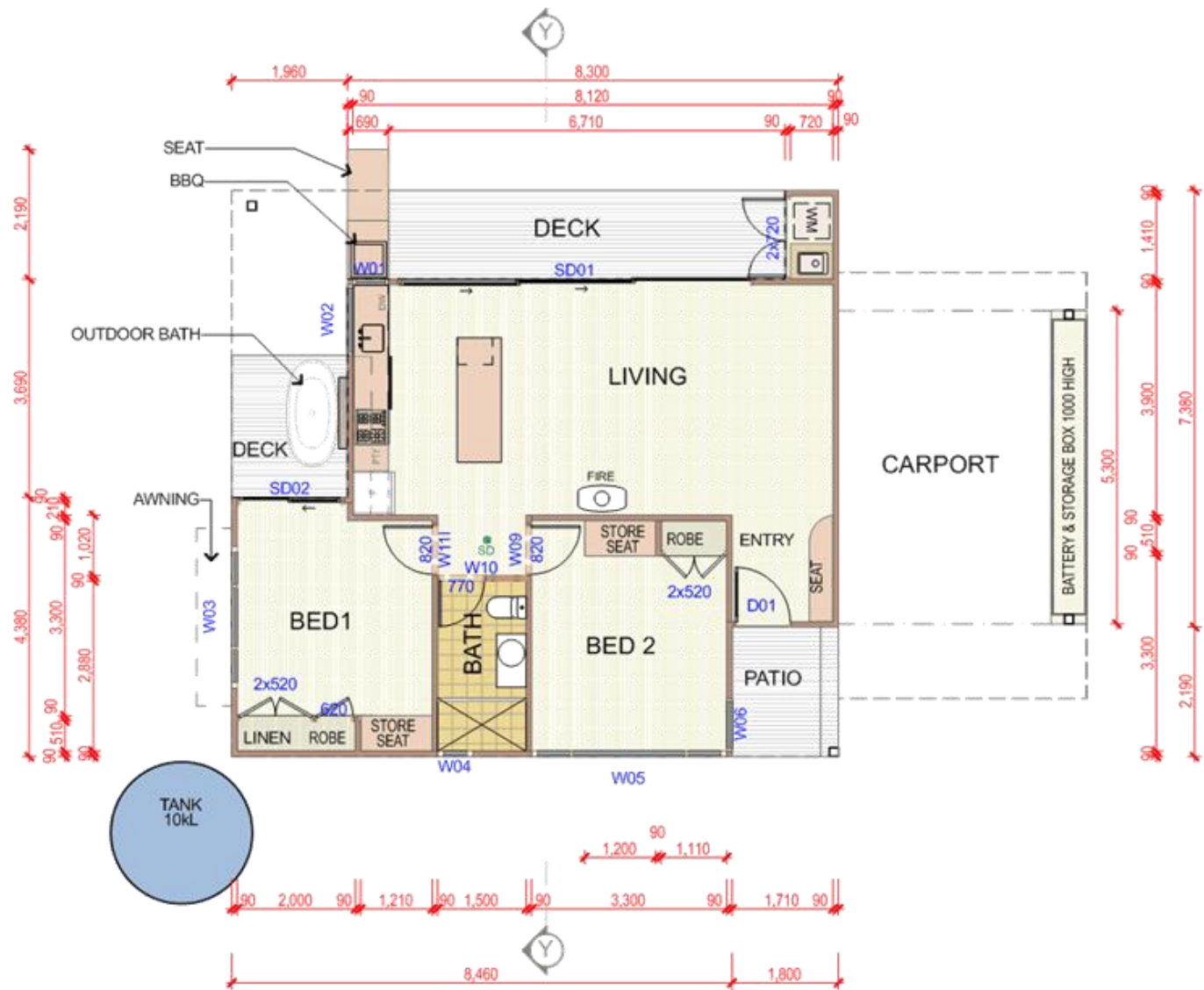
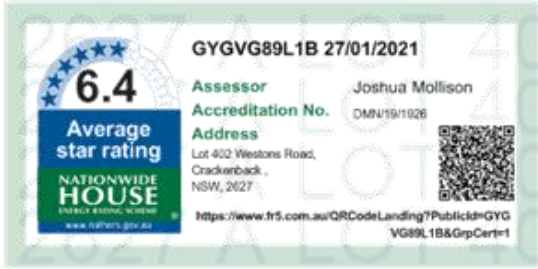
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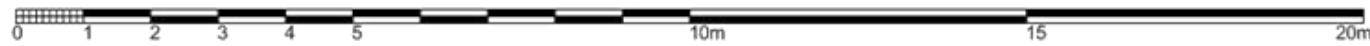
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DRAWING TITLE : <b>CABIN: 2 BED PERSPECTIVES</b>		DATE : 18/1/21
PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO.: <b>DA C2.1</b>	ISSUE : <b>C</b>



CABIN: 2 BEDROOM FLOOR PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



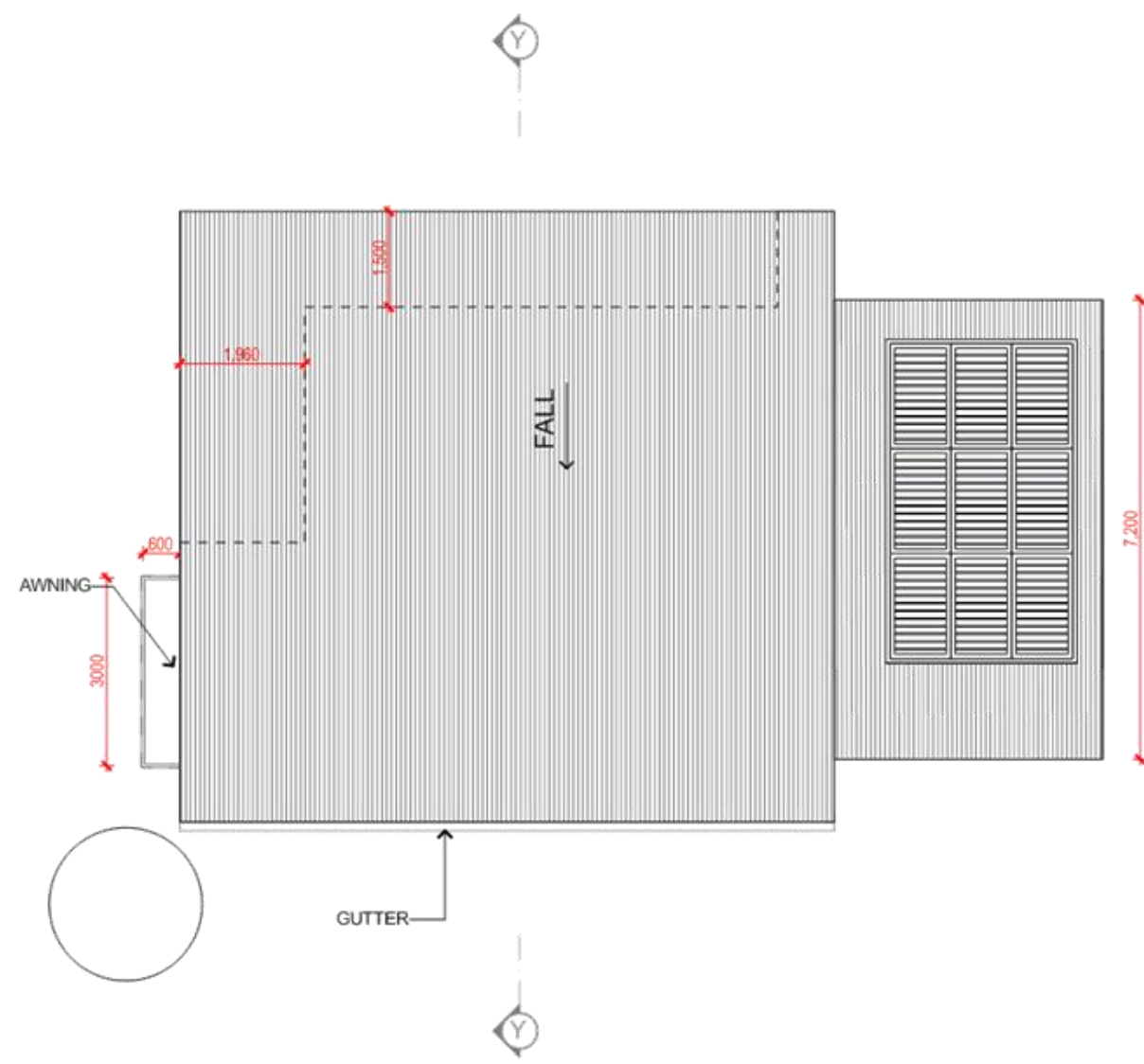
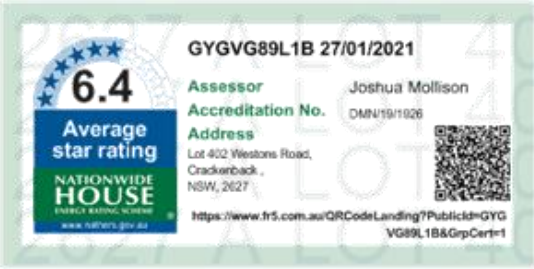
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PROJECT NAME :		ISSUE :	
Niven Investments - Eco		C	
DRAWING NO. : DA C2.2			





CABIN: 2 BEDROOM ROOF PLAN 1:100



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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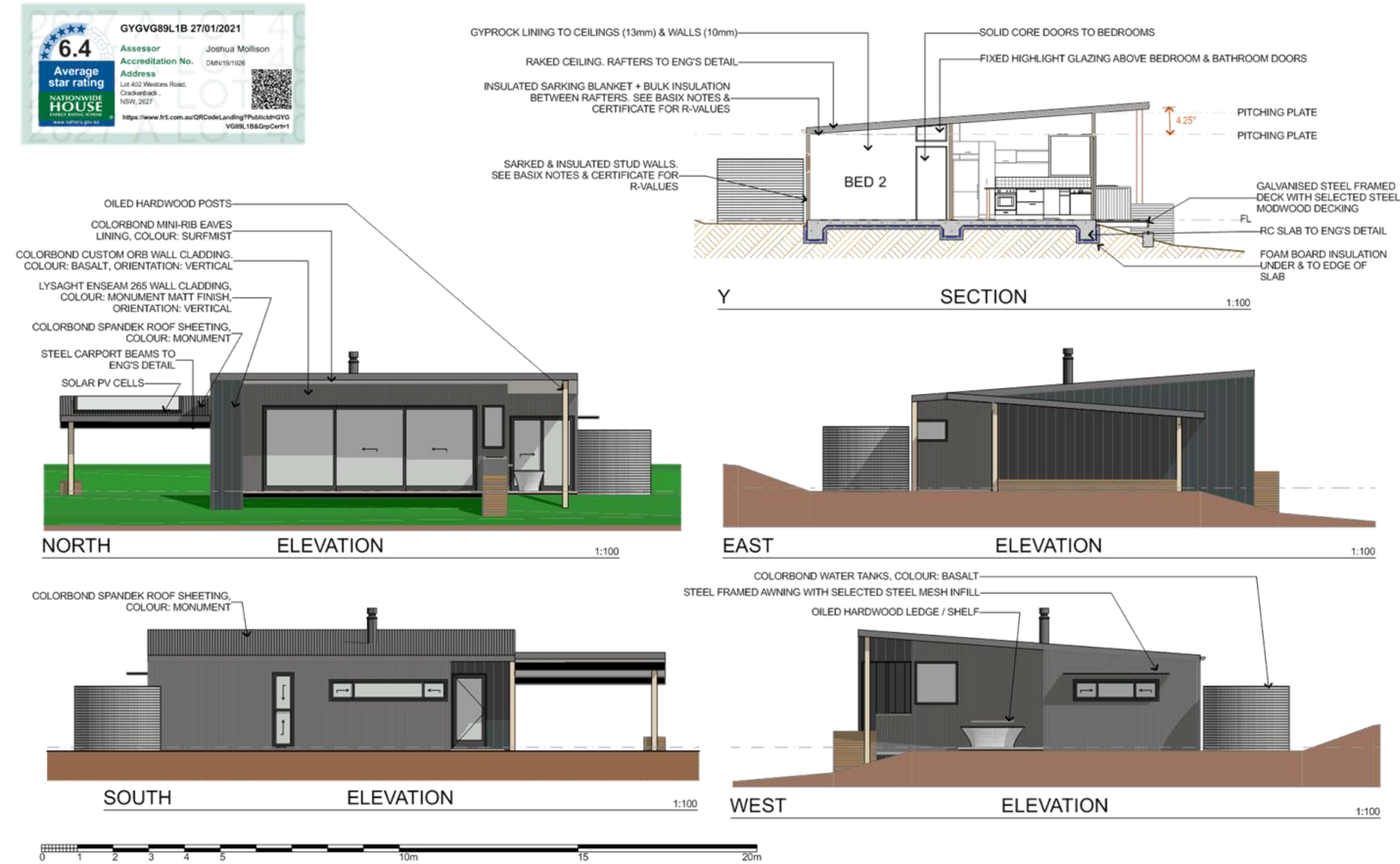
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DRAWING TITLE :		DATE :	
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Niven Investments - Eco	DA C2.3	C	



Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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**CABIN: 2 BED  
ELEVATIONS**

DATE :  
18/1/21

PROJECT NAME :

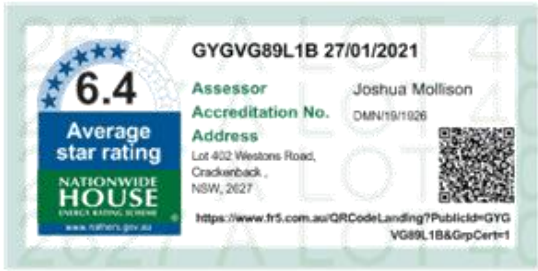
**Niven Investments - Eco**

DRAWING NO.:

**DA C2.4**

ISSUE :

**C**



CABIN: 1 BEDROOM 3D VIEW SW



CABIN: 1 BEDROOM 3D VIEW NE

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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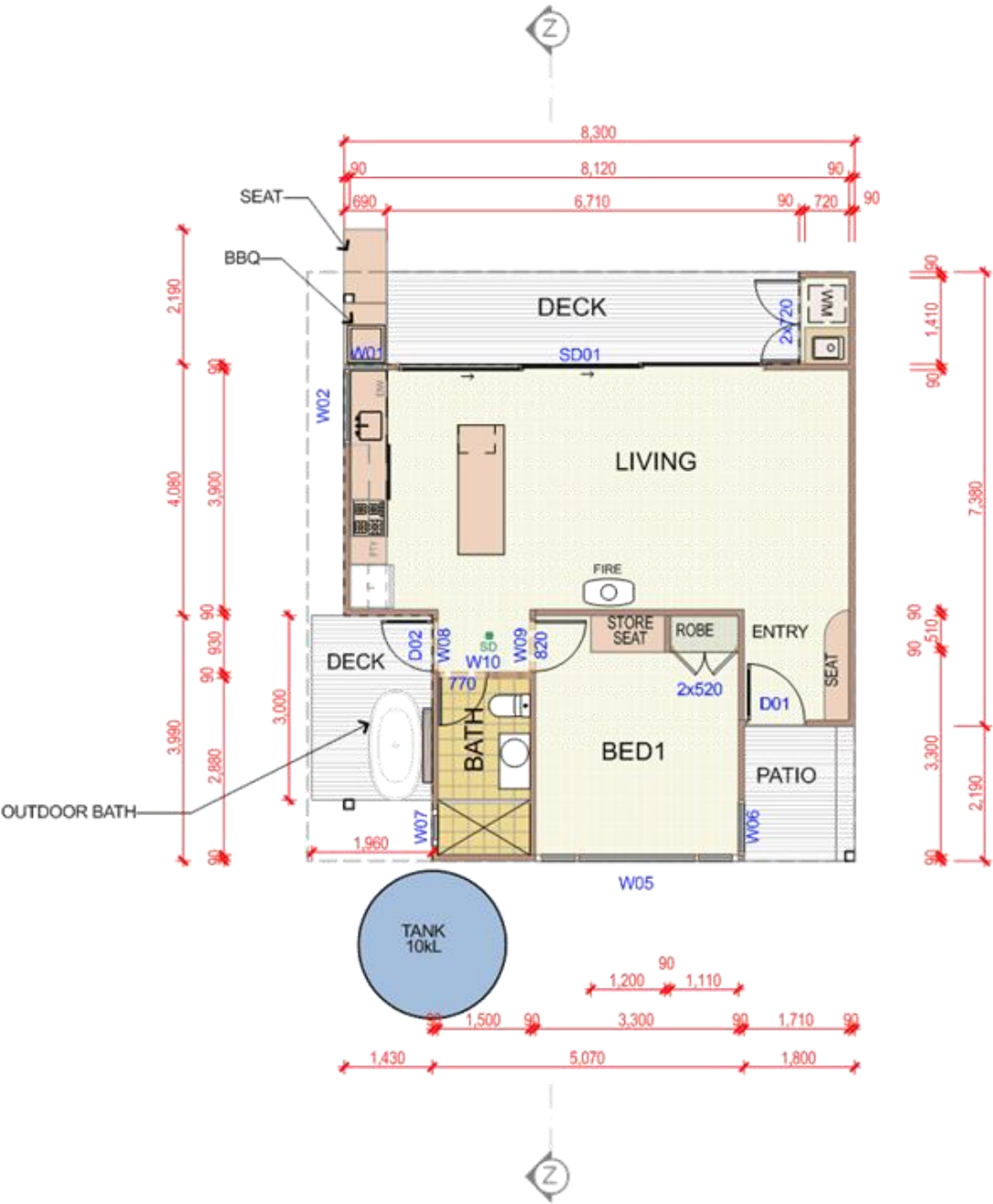
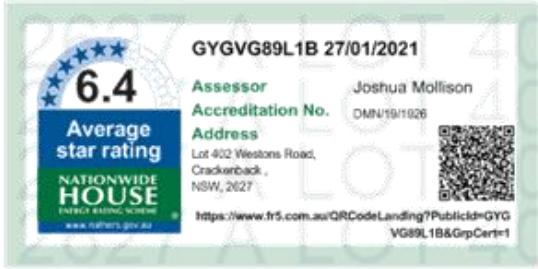
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PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO.: <b>DA C3.1</b>	ISSUE : <b>C</b>





CABIN: 1 BEDROOM FLOOR PLAN 1:100

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



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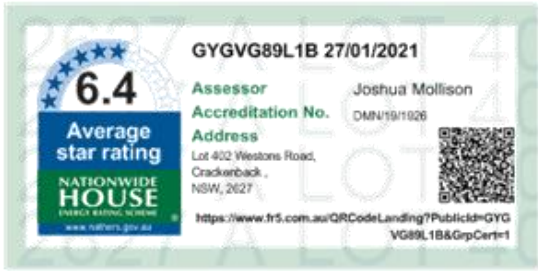
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PROJECT NAME : <b>Niven Investments - Eco</b>	DRAWING NO. : <b>DA C3.2</b>	ISSUE : <b>C</b>



CABIN: 1 BEDROOM ROOF PLAN 1:100

Proposed Eco Tourist Facility Cabins  
Lot 402 DP 841251  
Westons Rd, Crackenback  
For Niven Investments



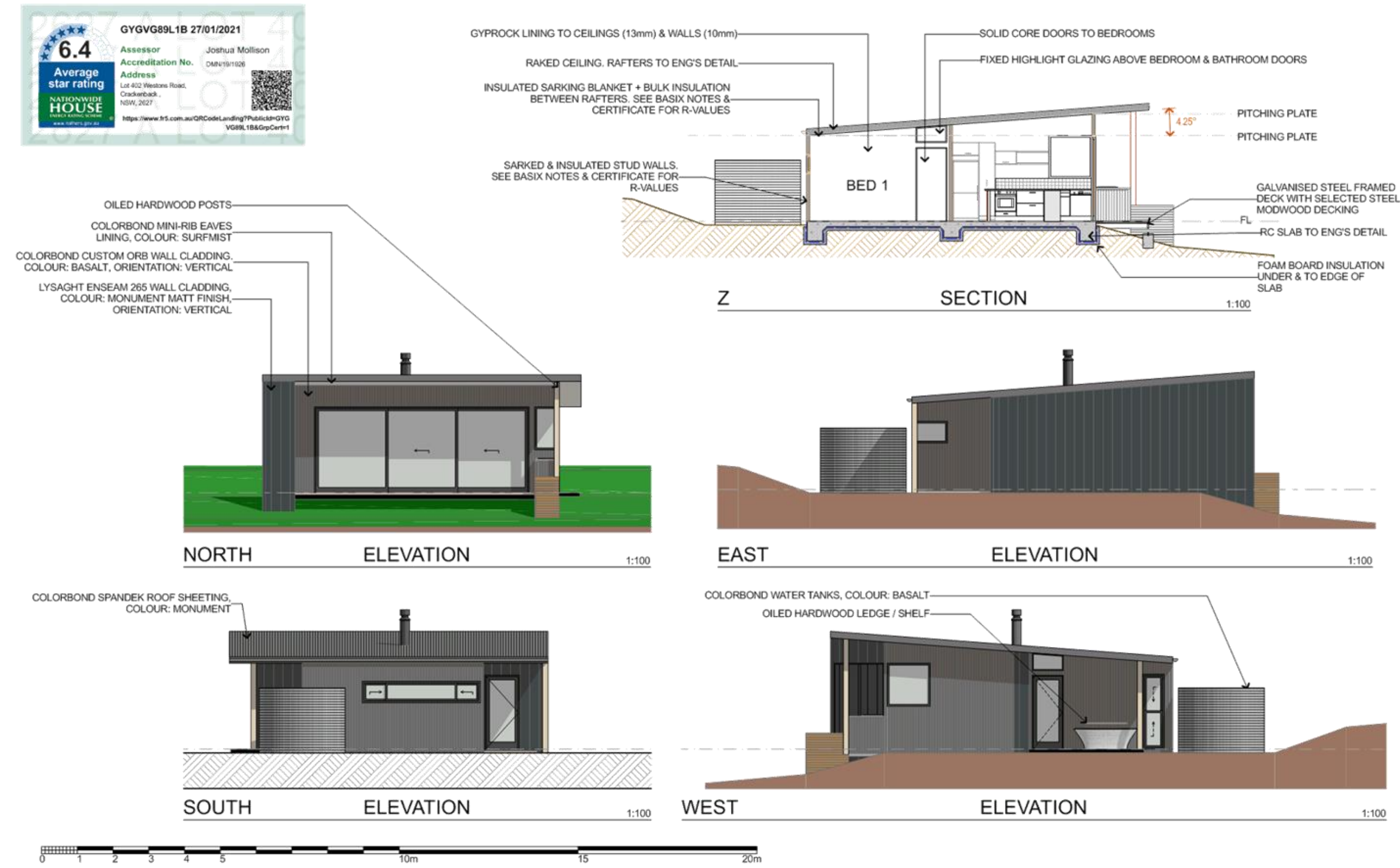
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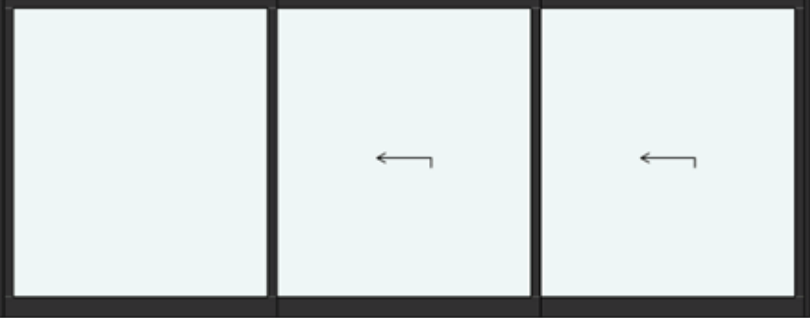
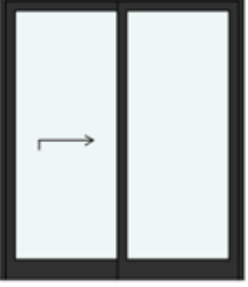


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PROJECT NAME :	DRAWING NO.:	ISSUE :	
Niven Investments - Eco	DA C3.3	C	




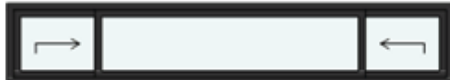







<div>  <div> <p>GYGVG89L1B 27/01/2021</p> <p>Assessor Joshua Mollison Accreditation No. DMN1911926</p> <p>Address Lot 402 Westons Road, Crackenback, NSW, 2627</p> <p><a href="https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1">https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1</a></p> </div> </div>					ELEVATION (OPENING SIDE)	NOTES
				DOOR		THERMAL BREAK ALUMINIUM FRAMES
D02	1	2,040	820	GLAZED ENTRY DOOR		THERMAL BREAK ALUMINIUM FRAMES
SD01	3	2,400	6,000	STACKER SLIDING DOOR		THERMAL BREAK ALUMINIUM FRAMES
SD02	2	2,100	1,800	SLIDING DOOR		THERMAL BREAK ALUMINIUM FRAMES
W01	3	1,200	600	FIXED		THERMAL BREAK ALUMINIUM FRAMES
W02	3	1,200	1,200	FIXED		THERMAL BREAK ALUMINIUM FRAMES

	<b>DAVID LAW</b>	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SPECIFICATION & NOTES <b>WINDOW SCHEDULE</b>		DATE : 18/1/21
		Proposed Eco Tourist Facility Cabins Lot 402 DP 841251 Westons Rd, Crackenback For Niven Investments		PROJECT NAME :	DRAWING NO.	ISSUE :
				<b>Niven Investments - Eco</b>	<b>DA N3</b>	<b>C</b>

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						THERMAL BREAK ALUMINIUM FRAMES
W04	2	2,100	600	DOUBLE HUNG		THERMAL BREAK ALUMINIUM FRAMES
W05	3	600	3,300	SLIDING		THERMAL BREAK ALUMINIUM FRAMES
W06	3	600	900	FIXED		THERMAL BREAK ALUMINIUM FRAMES
W07	1	2,100	600	DOUBLE HUNG		THERMAL BREAK ALUMINIUM FRAMES
W08	1	489	866	EXTERNAL/INTERNAL FIXED HIGHLIGHT		THERMAL BREAK ALUMINIUM FRAMES

	<h1>DAVID LAW</h1>	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935		DRAWING TITLE : SPECIFICATION & NOTES <b>WINDOW SCHEDULE</b>		DATE : 18/1/21	
		Proposed Eco Tourist Facility Cabins Lot 402 DP 841251 Westons Rd, Crackenback For Niven Investments		PROJECT NAME : <b>Niven Investments - Eco</b>		DRAWING NO. <b>DA N3</b>	ISSUE : <b>C</b>
		DATUM: ASSUMED SHEET SIZE: A3					

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<div><div><div><div><div>6.4</div><div>Average star rating</div></div><div><div>NATIONWIDE HOUSE</div><div>ENERGY RATING SCHEME</div></div></div><div><div>GYGVG89L1B 27/01/2021</div><div>Assessor Accreditation No. DMN1911926</div><div>Address Lot 402 Westons Road, Crackenback, NSW, 2627</div><div><a href="https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1">https://www.frs.com.au/QRCodeLanding?PublicId=GYGVG89L1B&amp;GrpCentr1</a></div></div></div></div> <div>HIGHLIGHT</div>					ELEVATION (OPENING SIDE)	NOTES
W10	3	425	1,500	INTERNAL FIXED HIGHLIGHT		
W11I	2	489	866	INTERNAL FIXED HIGHLIGHT		



To: snowy Monaro council

Subject: submission to Snowy Monaro council re application number 10.2021.16.1

Dear Sarah,

I am writing re the development proposal **application number 10.2021.16.1** by Niven Investments on Westons Rd Crackenback, NSW .

I am very concerned about the proposed development for the following reasons.

For the 25 years I have lived on Westons Road I have seen several serious accidents , slides and collisions on the road from non residents who don't realise what a dangerous road it is. It has very tight and slippery and rutted bends , steep drop offs , is often covered in snow in winter and the access onto the Alpine Way is dangerous as there is no pull over lane and traffic is travelling 100km ! A serious accident is waiting to happen . Westons Road cannot safely handle the current level of traffic , let alone more cars.

Let's do the sums. Five cottages four people in each makes 20 people . Conservatively ten extra cars in and out each day makes an extra twenty car movements daily plus c.ea ears plus supplies and possibly more. These people are tourists , can't drive on slippery gravel or in snow .

Please remember what happened on Westons road last July and if council is unaware of what happened I suggest council finds out. Freak rain and snow storms are happening more regularly and at an elevation of 1260m and a precipitous and lengthy drop off , we have a pending disaster .

With all due respect to council , council is currently unable to maintain the road in a safe fashion. We have just had a 'grade' . We have been waiting months for it and the state of the road was shocking , even council workers agreed. The current ' grade' is already sub standard as the gutters were not cleared out and no camber was put on the road and the ruts have started again already .

Westons road and it's access is one big safety issue .

The next problem is Upper Westons road , which this new development would access.

Upper Westons road goes from Tressiders to the end at Emu Ground. This road is a right of way that was bought and paid for by [REDACTED]

[REDACTED] . We five maintain it and pay for it . Niven does use this road to access the other side of his property . We have asked him several times to contribute to the road but he has always refused.

For him to now use our road for his personal commercial gains is unjust. This road is a single lane road is very expensive for us to maintain as it is. Though only three out of five of the residents are permanent the road can barely support those of us who are permanent.

Upper Westons Road is a private road and privately maintained.



My third concern is the environmental scar which would be clearly visible from the Alpine Way . There are no trees where the cabins would be situated , which is sensible due to fire , but conversely makes them clearly visible from the Alpine Way .

From what I have read re developments, the council is very concerned about ensuring the unique scenes beauty of the Alpine Way.

My last concern is safety.

During the frightening fire season last summer, as I was preparing to evacuate, our local fire brigade told me that I'd better leave as no fire trucks would be coming up Westons Road . The reason being that the state of the road was dangerous and the brigade had to make sure they could get out safely . On Westons Road their safely wasn't assured.

Why allow more people to build and live in a high risk area ?

Due to these important reasons I feel very strongly that the proposal be denied .



**Subject: Re application number 10.2021.16.1..submission to Snowy Mountains Council**

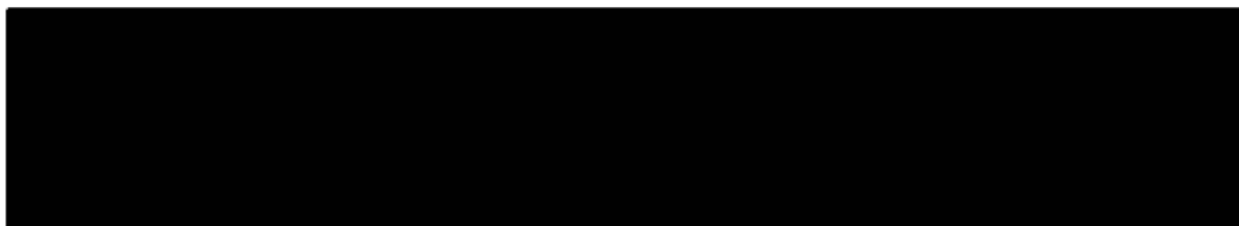
Dear Sarah,

It is only in last couple of days we have been made aware of this application and though I try to allow all to reach their desires I do concur with many of comments made

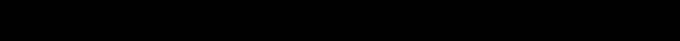
I understand this would be 3 rental or holiday cabins which would mean constant comings and going's on Westons Road, a devil of a road at best of times, with nowhere to pull over as can be the problem already, just a huge drop off one side and hill on the other, not good I fear and as these cabins, I assume would be to people not conditioned to country roads, unsealed, narrow, steep with many vehicles now quite big it does not bode well for anyone needing to use Westons Road. Would be prepared to reconsider if road was sealed and provided the developer is locked into an agreement whereby he pays in proportion for maintenance of the right of way, which others on this way paid, many years ago approximately \$25,000, a huge amount at the time, as legal right of way was horse tract from Fire Station and I gather was sold to this very developer, some time recently.

Please bear all this in mind when deciding on the application.

I might insist that the very rude sign at start of this right of way be altered to something more suitable such as private road, authorised vehicles only, as currently rather sinister and certainly not appropriate.



Dear Sarah,

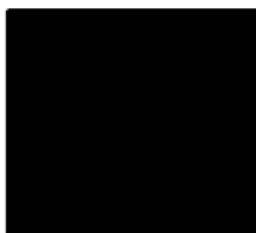
 and have many reservations about the planned proposal *application number 10.2021.16.1 by Niven Investments on Westons Rd Crackenback, NSW*

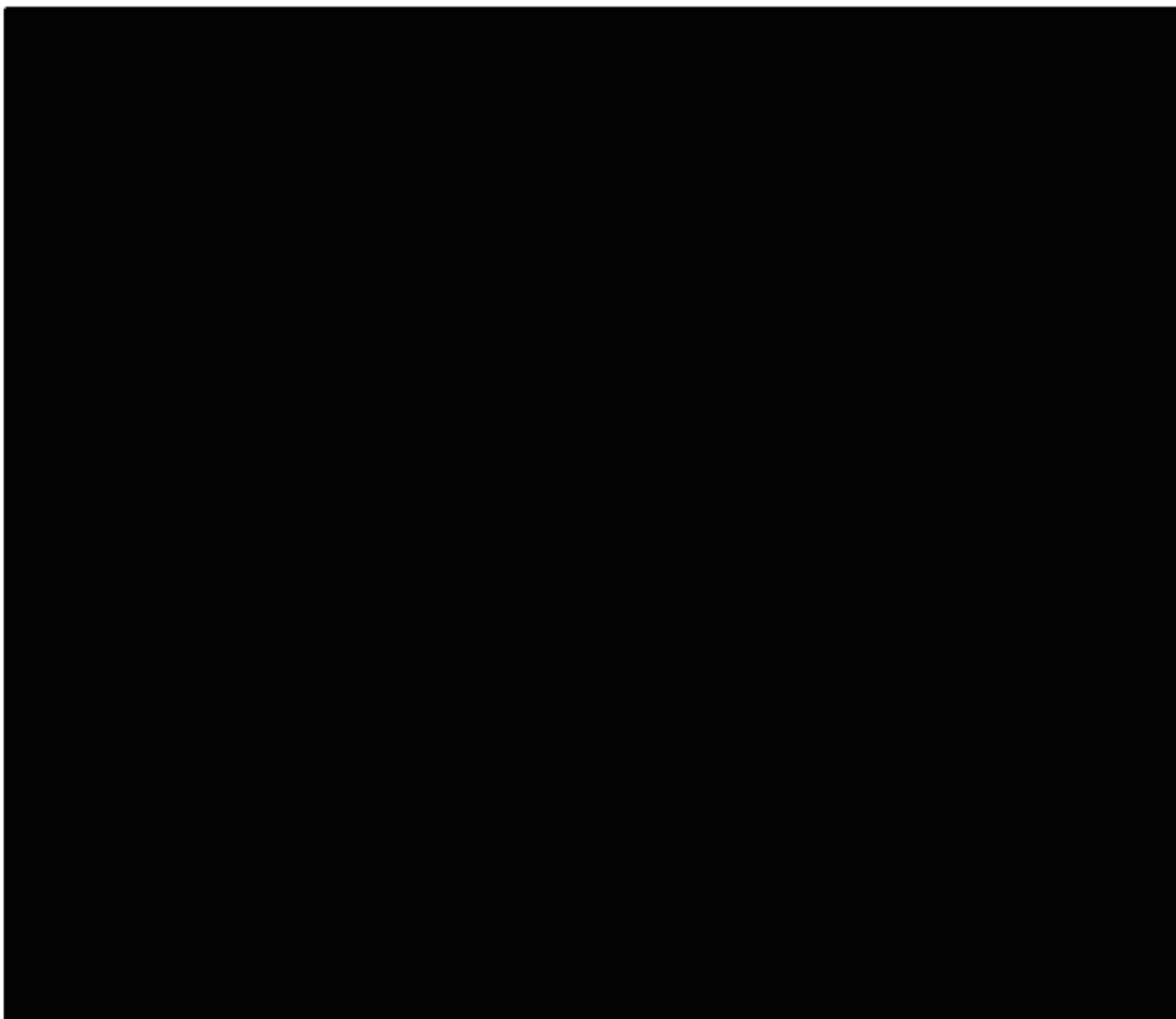
One of the problems will be the increased traffic flow on Westons Rd which at best is in poor condition for most of the year particularly after rain when erosion due to infrequent and poor maintenance is most prevalent. The culverts continually block causing lateral erosion across the roadbed and there are slippery mud spots on corners, rutting and potholes and when not wet the dust can be at times blinding all these will be magnified by an increased traffic.

Westons Road is dangerous due to its narrow nature particularly where there is steep drop-offs with no guard rails and steepness in winter with snow on it makes it a death trap at these times. I believe Westons Road should become bitumen to make it safer for most of the year.

The actual plans presented lack information and detail and seem as though they were hastily prepared with little concern for the neighbouring area.

Is there more information available about this proposal?





Dear Sarah,

I am writing re the development proposal **application number 10.2021.16.1** by Niven Investments on Westons Rd Crackenback, NSW

I am the owner of the property whose boundary lies directly next to where this proposed development is planned. I have lived here for 32 years and have enjoyed the character and serenity of this semi rural area.

My main concerns with such a proposal are

- The close proximity of these buildings to our property homestead
- The design of the buildings which seems out of context with the local area
- This development will be seen from the Alpine way
- Westons Rd is a problem as the council struggle maintain it at the current traffic levels so an extra surge of vehicles would only serve to worsen this.

The road is narrow, steep and windy. I think if you speak to the road maintenance department at council they will tell you of the difficulties

in maintaining this road to a safe and trafficable condition. During busy periods inexperienced people drive fast and often slide off the road. It has big drop offs in certain spots and with bad conditions the road becomes an accident waiting to happen. The road is graded once every 14 months if we are lucky, and myself and fellow neighbours take it upon ourselves to try and repair it a bit with shovels. Every time it rains there are wash aways, there are always corrugations on the steep corners and actually trenches across the road. In fact the road was graded and repaired 2 weeks ago and even though it is low season, with just the locals driving on it, and with little rain, it is corrugated in places already. Imagine what it will be like when winter approaches.

In Winter we always get several snow events which make the road treacherous and impassable. Over the years, I have dug out countless cars and helped people who have slid off the road or are simply stuck in the middle of the road.

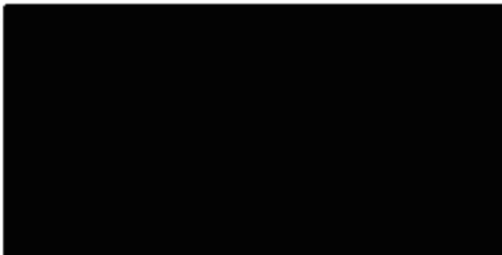
What I am saying is that this road is totally unsuitable for inexperienced people driving up and down it and would need a major investment to upgrade it, and even if it was sealed would become an icy deathtrap for people going down the very steep gradient.

- Fires are unfortunately something we live with continuously and placing more buildings and people in this location will further endanger lives, the Fire Brigade does not come up Westons Rd during fire events as there is only one entrance and exit point, which is a very scary prospect at these times.
- I stopped on the Alpine way at the top of the hill yesterday to assess the impact these five houses would have. They are set in a natural grass area and would stand out incredibly on the North facing slope. There are no trees around, and were trees to be planted, this would only add to the fire risk.

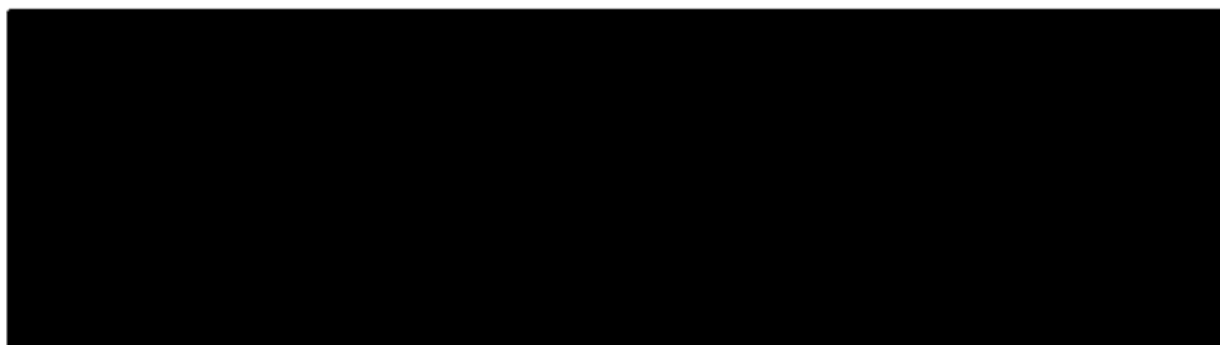
I was also wondering why there were no environment impact study/feasibility studies, noise and visual impact studies, boundary modifications etc with the proposal?

Given the small amount of information presented with this slap stick proposal we believe this proposal should be denied.

Jindabyne is on the verge of a tourist boom which the local and state government are on board with. I sincerely hope those proposals are more substantial than this and keep with the ambience of the region. The Alpine way is a beautiful approach to the National park, and at present, I think presents as a semi rural area with some but not too many developments. I do really believe this development will make the hill look like a housing subdivision. Also this area is frequented by emus, wombats, echidnas, ducks, and many other species, which we have lived in harmony with for 32 years. 25 extra people on this footprint will take that away, and deprive the residents of the peaceful environment that prompted our decision to live here.







Dear Sir/Mde,

We acknowledge the receipt of new proposal application number 10.2021.16.1 Eco-Tourist Facility (4 x cabins + 1 Managers Residence) Westons Road Crackenback 2627, Lot 402 DP 841251 Ph Clyde, Applicant's Name : Niven Investments Pty Ltd, Application Number 10.2021.16.1

As residents bordering to the development site we are very concerned and are opposing against this development.

Firstly Westerns Road cannot cope with the existing traffic at the moment. The infrastructure of this area is not suitable for such a huge development. We are concerned about the water ways being polluted with this additional frequent visitors and the strain of the development of this facility (ie big trucks etc) We have seen significant wildlife living on this land and our land and the noise pollution and traffic of such a big development will damage the living space of the native wild life. I also watched very rare birdlife on this land and their nesting habit will be destroyed by such a big development. There were Emu families living on this land and their existence is threatened as well as the wombat colonies I have seen on that particular land.

Furthermore as stated before the road cannot cope with any heavy trucks building the site or the tourists travelling to and from this Eco -Tourist Facility. It is important that the Alpine Way and the Alpine Nature is preserved and not over populated. Niven Investments Pty Ltd have never contributed in the last 20 years for the upkeep of Westerns Rd. Having this facility just up from our land will destroy our privacy and the ability to do bird watching and native animals watching on our land.

During the drought period there was not enough water for the already existing properties and our spring which provides for several residents suffered greatly. Any additional development in this area will affect our land and springs and therefor all the wildlife living on it.

I hope that the council is protecting this very special and rare area and is keeping tourist facilities closer to Jindabyne where the infrastructure is existing. Westerns Road and the area is not able to provide the space for a Eco Tourist Facility.

There is evidence of negligence already with all the uncontrolled weeds travelling towards our very precious National Park. Developments of this kind will set a prejudice for more development to come and its your job as counsel of such a delicate area to protect and guard. Therefor I hope you will decline this application.



We sincerely hope you will decline this application .

The bushfire has destroyed so many areas of living space for the native animals lets not contribute even more disturbance to our water ways and road facilities and nature.



Hello Sarah

Thank you for forwarding the information regarding Jeff Niven's development application. I now have a better understanding of the proposal.

My main concern is the extra traffic it would generate on Weston's Road. At times, especially after rain, the road becomes badly rutted and can be dangerous. There are no safety rails and near the top quite steep. The road has many bends and in winter it is sometimes covered in snow and can be very slippery. Over the years there have been several accidents due to bad road conditions. The Council normally grade the road prior to the winter ski season but due to bad weather conditions it can deteriorate quickly.

Also the section of road between the top of the hill and the turn off onto the proposed new road servicing the cottages would need to be upgraded to take two way traffic. This sections of the road is part of our right-of-way and is only a single lane.

I am not opposed to the proposed cottages which I imagine would mostly be occupied during the winter months; my concern is for the safely of the people using the road.



The Chief Executive Officer  
Snowy Monaro Regional Council  
2 Myack Street  
Berridale NSW 2628

Attn: Sarah Brown

Dear Sarah,

**Re: Response to submissions regarding Development Application 10.2021.16.1 for proposed Eco-tourist Facility at Westons Road, Crackenback**

Thank you for the opportunity to review and respond to the five (5) submissions received by Council regarding the above Development Application. We note that a submission is undated with no author and therefore should not be considered a valid submission.

The main issues raised in the submissions have been summarised and a response provided accordingly:

***Access & Traffic:***

***Traffic Generation:***

To determine the extent of additional traffic generated by the proposed development in relation to the current traffic, the average trip generation data under RTA 'Guide to Traffic Generating Developments' has been used.

Westons Road currently accommodates the following developments (either built and/or approved):

- 12 Rural Dwellings
- 5 Eco-tourist Facility Cabins, each comprising one (1) bedroom
- 1 Art Gallery & Ancillary Managers Residence – Maximum 30 guests
- 1 Bed and Breakfast (Holiday Dwelling) comprising of 5 bedrooms
- 1 Lodge for Rural Tourist Accommodation including 12 bedrooms for 48 guests

This equates to a total average trip generation, as follows:

Development	Traffic Generation Rate	Av. Vehicles Per Day
12 Rural Dwellings	9.0 per dwelling	108
5 Eco-tourist Facility Cabins (34 Westons Road)	3.0 per room* x 5 cabins @ 66%** occupancy	10
1 Art Gallery & Ancillary Managers Residence – Maximum 30 guests at 34 Westons Road (DA 0038/2016)	Art Gallery: 24 per day, operating a max 90 days per year = 6 per day Managers Res: 4 per day based on a single bedroom	10

	dwelling	
1 Bed and Breakfast / Holiday Dwelling	3.0 per room x 5 bedrooms @ 66% occupancy	10
1 Lodge for Rural Tourist Accommodation including 12 rooms and 48 beds	3.0 per room x 12 bedrooms @ 66% occupancy	24
Total Average Vehicles Per Day:		162

\*3.0 per room derived from a motel room, being the closest equivalent use under the RTA Guide, with no specific data for tourist or eco-tourist cabins

\*\*66% occupancy has been used on the higher end of estimates, based on usual occupancy rates of around 50% year round currently found with the region.

As addressed in the SEE, the development comprises of three (3) cabins, each with two (2) bedrooms and one (1) cabin with one (1) bedroom with a maximum guest capacity of fifteen (15).

The development also comprises of a two (2) bedroom managers residence.

In accordance with the methodology above, the proposed cabins would have an average trip generation of 7 bedrooms x 3.0 per bedroom @ 66% occupancy = 14 [rounded up].

Although three of the cabins comprise of two bedrooms, the cabins are only rented to one group at a time (in other words the rooms are not rented separately), which would result in predominantly only one car being used for each cabin. Less frequently, these cabins may be used by two cars (i.e., when two couples with each couple use their own car).

Therefore, the traffic generation should be well below 14 vehicles per day (vpd).

As for the Managers Residence, this is only a two (2) bedroom dwelling, and therefore a small deduction down to 7.0 vpd (from 9) has been applied.

The total average trip generation for the development is therefore 21 vpd.

This represents less than 13% of the current average traffic generation for Westons Road.

#### *Westons Road:*

Most of the submissions raised concerns about the impact of the traffic generated by the proposed development on Westons Road and its current condition.

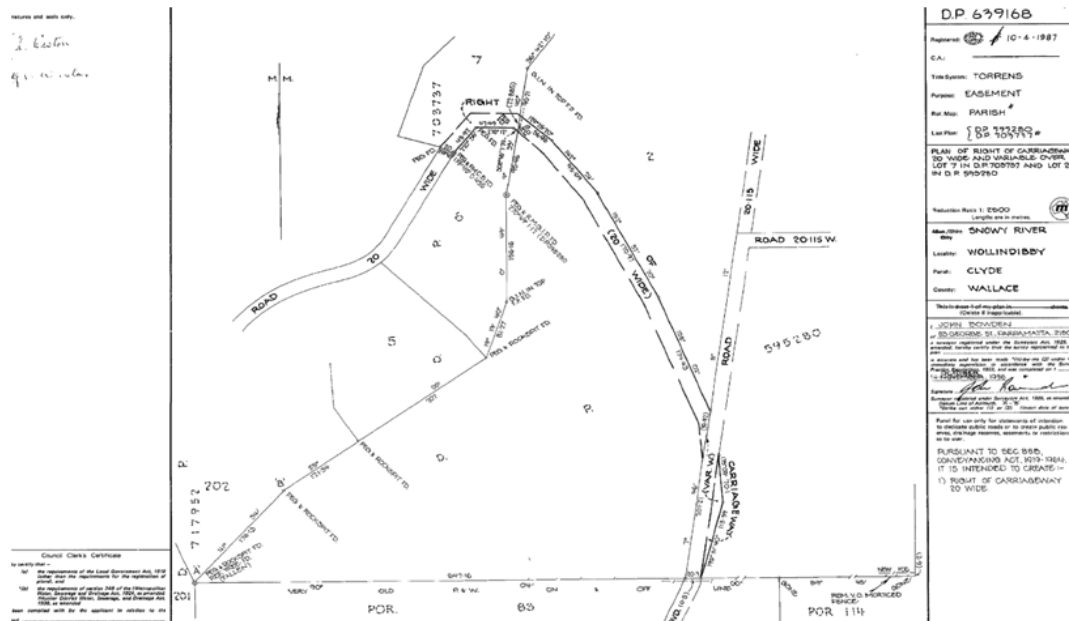
Westons Road is a public road up until the boundary of the adjacent property at 255 Westons Road (Lot 7 DP 703737) where it terminates.

The subject site, via a legal easement (right-of-carriageway) over Lot 7 DP 703737 therefore has legal and practical access to a public road.

The road then traverses through the subject site, therefore being owned by the Applicant and Land owner, Niven Investments. This road provides a right-of-carriageway (easement) access to the properties to the south, not the other way as claimed in one of the submissions.



An extract of the Deposited Plan image below shows the 20m wide right-of-carriageway.



As outlined above, Council has granted consent to the erection of more than ten dwellings, five eco-tourist cabins, an art gallery, a bed and breakfast and a lodge, all accessed from the same road.

The land owners on the adjacent properties on Westons Road, which includes the Applicant and landowner of the subject site have therefore derived a benefit from Council granting consent to these developments without any upgrade requirement for Westons Road.

Issues raised in some of the objections, indicate that it is expected that the Applicant and land owner to undertake significant road upgrade works to address the past approvals granted by Council that have allowed for the current traffic generation on the road.

Such a requirement would not be fair and reasonable, as this would not be in direct apportionment to the additional traffic generated by the development. Such an imposition would not satisfy the three principles of the "Newbury Test", being:

- I. It must be imposed for a planning purpose.
- II. It must fairly and reasonably relate to the development for which permission is being given.
- III. It must be reasonable.

Accordingly, this would be considered unlawful under Section 4.17 of the Environmental Planning and Assessment Act, 1979.

Furthermore, Council had an opportunity to collect S7.11 (S.94) contributions towards the subject road as part of its S.94 Contributions Plan, adopted in 2008. This plan allows Council to collect S.711 (S.94) contributions towards roadworks for ten (10) rural roads within the Shire

including Wollondibby Road, located in the vicinity of Westons Road. Such a plan would of allowed for the orderly and equitable collection of developer contributions towards the upgrade of Westons Road based on the distance of new development along the road and the number of additional dwellings being constructed. Council however chose not to include Westons Road as part of its Developer Contributions Plan.

With the development generating less than 13% additional traffic on Westons Road, it is not equitable, reasonable or lawful to require any upgrade of the public road as part of the subject DA.

***Fauna and Flora:***

The proposed development has been located within the mostly cleared paddocks that have been pasture improved and grazed over a long time with no clearing of substantial native vegetation required.

The development site was selected in part as it is located close to the road and existing infrastructure and other buildings, utilising the existing entrance and in part the existing internal access tracks, therefore mitigating impacts associated with clearing native vegetation.

***Impacts on Privacy & Proximity of Buildings:***

In relation to the property to the north at 255 Westons Road, Cabin A has been sited to be 67m from the boundary and orientated to the north-east, therefore not towards the adjacent dwelling, located a further 40m from its southern boundary.

Accordingly, over 100m separation is provided between the closest Cabin A and the dwelling on the adjacent property, with vegetation partly screening and the orientation of the cabin not directly overlooking the property.

***Visual Impacts:***

A number of submissions have raised concerns regarding the visual impact of the development, particularly from the Alpine Way.

The most visible corridor from the Alpine Way, traveling westbound is over 2km away.

As shown in the photo provided, this visual corridor already comprises of multiple buildings visible from the Alpine Way. These buildings however are much larger than the proposed buildings and are not highly prominent.



The placement and design of the cabins is below Westons Road, therefore not near the top of the hill behind and nowhere near the ridgeline, therefore avoiding any potential for the development to project against the skyline.

The cabins are small in bulk and scale, being only single storey in height with low profile skill roofs and an overall footprint of approximately 120m<sup>2</sup>, including the decks and carport.

The colours and materials are recessive and would blend in with the natural and built environment, comprising of a modern alpine architectural style and palette.

With the cleared paddock landscape surrounding, the cabins would sit within the landscape comfortably, with the proposed internal driveway setback in behind.

The cabins have also been adequately spaced, but at the same time close enough to share the same access and some infrastructure and services. The cabins are setback between 26m and 59m from each other and would not present as a residential subdivision as claimed.

Should you require any further information in regard to the response provided above, please do not hesitate to contact me on (02) 6457 2170.

Regards



**Ivan Pasalich**  
Principal

26 April 2021



## NSW RURAL FIRE SERVICE



The General Manager  
Snowy Monaro Regional Council  
PO Box  
Cooma NSW 2630

Your reference: (CNR-19184) 10.2021.16.1  
Our reference: DA20210414001465-Original-1

Date: 5<sup>th</sup> July 2021

**Attention:** Sarah Brown

Dear Sir/Madam,

**Integrated Development Application**  
**s100B – SFPP – Eco-Tourism Facility**  
**WESTONS RD CRACKENBACK NSW 2627, 69//DP756686, 402//DP841251**

I refer to your correspondence dated 13/04/2021 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the Environmental Planning and Assessment Act 1979, and a Bush Fire Safety Authority, under section 100B of the Rural Fires Act 1997, are now issued subject to the following conditions:

### General Conditions

1. This Bushfire Safety Authority supersedes our previous correspondence dated Friday 25 June 2021.

### Asset Protection Zones

*Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.*

2. Prior to the commencement of use of each stage (tourist and visitor accommodation), and in perpetuity the area around the proposed cabins shall be managed as outlined within section 6.8a and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones as follows:

### Proposed Cabins A, C and D

- North, East and South Directions: Inner Protection Area (IPA) for a distance of 93 metres; and
- West Direction: IPA for a distance of 67 metres.

#### Postal address

NSW Rural Fire Service  
Planning and Environment Services  
Locked Bag 17  
GRANVILLE NSW 2141

#### Street address

NSW Rural Fire Service  
Planning and Environment Services (East)  
4 Murray Rose Avenue  
Sydney Olympic Park NSW 2127

T 1300 NSW RFS  
F (02) 8741 5550  
E [records@rfs.nsw.gov.au](mailto:records@rfs.nsw.gov.au)  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)





**Proposed Cabin B**

- North and South Directions: IPA for a distance of 93 metres;
- East Direction: IPA for a distance of 100 metres; and,
- West Direction: IPA for a distance of 67 metres.

3. At the commencement of building works, and in perpetuity, the area around the proposed managers residence shall be managed as outlined within section 7.4 and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones as follows:

- North, South and East Directions: IPA for a distance of 57 metres; and,
- West Direction: IPA for a distance of 40 metres.

4. Prior to the commencement of use of stage 1, and in perpetuity, the area around the existing dwelling shall be managed as outlined within section 7.4 and Appendix 4 of Planning for Bush Fire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones as follows:

- North Direction: IPA for a distance of 31 metres;
- East and South Directions: IPA for a distance of 39 metres; and,
- West Direction: IPA for a distance of 20 metres.

Note: The NSW Rural Fire Services assessment is based on the proposed development being located on Lot 402 DP 841251. Where the asset protection zones listed in condition 2 and 3 extend outside of the property boundaries approved under DA4023/2019, Council shall be satisfied a suitable legal mechanism is in place to ensure their management in perpetuity.

**Construction Standards**

***Intent of measures: to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.***

5. New construction shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone area or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and as amended by section 7.5 of Planning for Bush Fire Protection 2019.

6. Prior to the commencement of use of stage 1, the existing dwelling is required to be upgraded to improve ember protection, unless already constructed to a relevant standard. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

**Access - Internal Roads**

***Intent of measures: to provide safe operational access for emergency services personnel in suppressing a bushfire, while residents are accessing or egressing an area.***

7. Council shall be satisfied access to the site from Alpine Way to the proposed development and the existing dwelling meet the following requirements for Property Access Roads as detailed in Planning for Bush Fire Protection 2019:

- Property access roads are two-wheel drive, all-weather roads;
- The capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes), bridges and causeways are to clearly indicate load rating.

- There is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available;
- Minimum 4m carriageway width;
- In forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay;
- A minimum vertical clearance of 4m to any overhanging obstructions, including tree branches;
- Property access must provide a suitable turning area in accordance with Appendix 3 of Planning for Bushfire Protection 2019;
- Curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress;
- The minimum distance between inner and outer curves is 6m;
- The cross fall is not more than 10 degrees; and,
- Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.

Note: Some short constrictions in the access may be accepted where they are not less than 3.5m wide, extend for no more than 30m and where the obstruction cannot be reasonably avoided or removed. The gradients applicable to public roads also apply to community style development property access roads in addition to the above.

#### Water and Utility Services

***Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.***

8. The provision of water, electricity and gas services to comply with the following in accordance with Table 6.8 of *Planning for Bush Fire Protection 2019*:

- A 30,000 litre static water supply must be provided on-site (at the managers residence);
- A 15,000 litre static water supply must be provided on-site (at each cabin)
- An outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure, (5-20 metres);
- 65mm Storz connection with a ball valve is fitted to the outlet;
- The ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material;
- Underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank;
- A hardened ground surface for truck access is supplied within 4m of the water outlet or access hole;
- above-ground tanks are manufactured from concrete or metal;
- Raised tanks have their stands constructed from non-combustible material or bush fire-resisting timber. The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine;
- Unobstructed access can be provided at all times;
- Underground tanks are clearly marked;
- Tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters;
- All exposed water pipes external to the building are metal, including any fittings;
- Where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack; any hose and reel for firefighting connected to the pump shall be 19mm internal diameter; and
- Fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005;

- A Static Water Supply (SWS) sign shall be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - Markers must be fixed in a suitable location so as to be highly visible; and
  - Markers should be positioned adjacent to the most appropriate access for the water supply.
- Where practicable, electrical transmission lines are underground;
- Where overhead, electrical transmission lines are proposed as follows:
  - Lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
  - No part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- All fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- Connections to and from gas cylinders are metal;
- Polymer-sheathed flexible gas supply lines are not used; and
- Above-ground gas service pipes are metal, including and up to any outlets

#### **Emergency and Evacuation Planning Assessment**

***Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.***

9. Prior to the commencement of use (tourist and visitor accommodation), a Bush Fire Emergency Management and Evacuation Plan shall be prepared as outlined below:

- NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan;
- Australian Standard AS 3745:2010 Planning for emergencies in facilities;
- The Bush Fire Emergency Management and Evacuation Plan must consider a mechanism for the early relocation of occupants on days when adverse fire weather is notified or adverse fire activity occurs in the local government area in which the development operates;
- The Bush Fire Emergency Management and Evacuation Plan shall include non-occupation on days of extreme or catastrophic fire danger; and,
- A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to the occupation of the development.

For proposals in isolated or remote areas which involve large travel distances through bush fire prone vegetation,

- the following issues should be determined and addressed:
- The amount of travel likely to be generated during an emergency evacuation;
- The capacity of the broader road network to facilitate safe emergency evacuation;
- Limitations/constraints inherent in the road system; and
- Management of potential traffic conflicts (such as emergency vehicles versus evacuating members of the public)

#### **General Advice – Consent Authority to Note**

In recognition of the isolated nature of the proposed development, the above general terms of approval have adopted a combination of additional bushfire protection measures. Additional measures are summarised as follows;

- Establish APZs to achieve 10kW/m2 and construct to BAL 29 for the proposed cabins;
- Establish APZs to achieve BAL 12.5 and construct to BAL 29 for the proposed Managers residence;
- Increased quantities of static water supply for the proposed cabins and managers residence.

The NSW Rural Fire Service recommends the owner of the site consider implementing a static water supply complying with condition 7 for the existing dwelling.

The above general terms of approval are based on the development being referred to the NSW Rural Fire Service as Eco-Tourism development.

The above general terms of approval relates to the proposed development as shown on the plan prepared by David Law, titled Site and Location Detail Site Plan, drawing number DA G3, Issue D, dated 27/1/21.

If you have any queries regarding this advice, please contact Peter Dowse, Development Assessment and Planning Coordinator, on 1300 NSW RFS.

Yours sincerely,

Anna Jones  
Acting Supervisor, Development Assessment and Planning  
Planning and Environment Services (South)

[illegible][illegible]





# Development Application

made under the Environmental Planning and Assessment Act 1979 Section 78A

## Office Use Only

DA Number 10.

## PLEASE COMPLETE ALL SECTIONS

APPLICANT			
Name/Company: Niven Investments Pty Ltd		Phone: 6457 2170	
Contact Name (if Company): C/- Dabyne Planning Pty Ltd		Fax:	
Postal Address: PO Box 179		Mobile: 0424 359 662	
Town: Jindabyne	State: NSW	Postcode: 2627	Email: ivan@dabyneplanning.com.

OWNER			
Name/Company: Niven Investments Pty Ltd		Phone:	
Contact Name (if Company): Jeff Niven		Fax:	
Postal Address:		Mobile:	
Town:	State: NSW	Postcode:	Email:
Is the subject land Crown Land <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> → Please attach Authority			
OFFICE USE ONLY NAR Numbers			

LAND TO BE DEVELOPED (Please attach additional sheet if inadequate space provided)					
No:	Street: Westons Road			Town: Crackenback	
Lot: 402	Section:	DP/SP: DP 841251	Lot:	Section:	DP/SP:
Lot:	Section:	DP/SP:	Lot:	Section:	DP/SP:
OFFICE USE ONLY Parcel Numbers					

PROPOSED DEVELOPMENT		
Description of development: Eco-Tourist Facility (4 x Cabins + 1 Managers Residence)		
<input checked="" type="checkbox"/> Erect, alter or add to a building or structure	<input type="checkbox"/> Subdivide land or building	<input type="checkbox"/> Other (specify):
<input type="checkbox"/> Change the use of land or building (or classification under the BCA)	<input type="checkbox"/> Demolition	
<input type="checkbox"/> Carry out a work	<input type="checkbox"/> Signage/Advertising	
TYPE OF DEVELOPMENT (tick all that apply)		
<input type="checkbox"/> Single dwelling <input type="checkbox"/> Residential alterations/additions <input type="checkbox"/> Multi-Unit <input type="checkbox"/> Second Occupancy <input type="checkbox"/> Seniors Living <input type="checkbox"/> Other residential <input type="checkbox"/> Mixed	<input type="checkbox"/> Storage Shed <input type="checkbox"/> Garage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial/Business <input type="checkbox"/> Retail <input type="checkbox"/> Office <input type="checkbox"/> Food Premises	<input checked="" type="checkbox"/> Tourist <input type="checkbox"/> Subdivision <input type="checkbox"/> Infrastructure <input type="checkbox"/> Community/Education Facilities <input type="checkbox"/> Education Facility <input type="checkbox"/> Event <input type="checkbox"/> Other

COST (including materials and labour)	
This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimated cost is required.	
COST (including materials and labour) :	\$ 656,400

STAGED DEVELOPMENT	
Are you lodging a <a href="#">Staged Development Application</a> ? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Section 83B of the <i>Environmental Planning and Assessment Act 1979</i> defines a staged Development Application (DA) as one which sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs. The application may set out detailed proposals for the first stage of development.	
INTEGRATED DEVELOPMENT (Approvals from State Agencies)	
Is this application for <a href="#">Integrated Development</a> ? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Please tick which other approvals are required. If yes Council requires an additional set of plans, a Statement of Environmental Effects (SEE) and a fee for each relevant government agency. Please check with Council for current applicable fee.	
Roads Act 1993 <input type="checkbox"/> <a href="#">s138</a>	Heritage Act 1977 <input type="checkbox"/> <a href="#">s58</a>
National Parks and Wildlife Act 1974 <input type="checkbox"/> <a href="#">s90</a>	
Rural Fires Act 1997 <input checked="" type="checkbox"/> <a href="#">s100B</a>	Protection of the Environment Operations Act 1997
Petroleum (on shore) Act 1991 <input type="checkbox"/> <a href="#">s9</a>	<input type="checkbox"/> <a href="#">s43(a)</a> <input type="checkbox"/> <a href="#">s43(b)</a> <input type="checkbox"/> <a href="#">s43(d)</a> <input type="checkbox"/> <a href="#">s47</a> <input type="checkbox"/> <a href="#">s48</a> <input type="checkbox"/> <a href="#">s55</a> <input type="checkbox"/> <a href="#">s122</a>
Fisheries Management Act 1994	Water Management Act 2000
<input type="checkbox"/> <a href="#">s144</a> <input type="checkbox"/> <a href="#">s201</a> <input type="checkbox"/> <a href="#">s205</a> <input type="checkbox"/> <a href="#">s219</a>	<input type="checkbox"/> <a href="#">s89</a> <input type="checkbox"/> <a href="#">s90</a> <input type="checkbox"/> <a href="#">s91</a>
Mine Subsidence Compensation Act 1961 <input type="checkbox"/> <a href="#">s15</a>	Mining Act 1992 <input type="checkbox"/> <a href="#">s63</a> <input type="checkbox"/> <a href="#">s64</a>
Integrated Development is defined by the Environmental Planning and Assessment Act 1979 as development which needs a Development Consent and one or more additional approvals under the Acts mentioned above in order to be legally carried out. Further explanatory notes are available from Council on request.	
IS/DOES THE PROPOSED DEVELOPMENT:	
	YES NO
Designated Development <sup>▲</sup> ?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Likely to significantly affect a threatened species, population or ecological community, or it's habitat?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Involve the use of or work on a Crown Road Reserve or other land owned by the Crown?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Development by the Crown? (Part 5A of the Act applies to development by the Crown)	<input type="checkbox"/> <input checked="" type="checkbox"/>
On land which is also subject to a Property Vegetation Plan under the <i>Native Vegetation Act 2003</i> ?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Development which requires a Site Compatibility Certificate from the Department of Planning prior to lodgement in accordance with <i>State Environmental Planning Policy (Infrastructure) 2007</i> , <i>State Environmental Planning Policy (Housing for seniors or people with a disability) 2004</i> , or any other State Environmental Planning Policy?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Development which requires a <a href="#">BASIX Certificate</a> ?	<input checked="" type="checkbox"/> <input type="checkbox"/>
Involve land which has easements or restrictions on the Title? (If yes, please specify the nature of these easements or restrictions in your Statement of Environmental Effects)	<input checked="" type="checkbox"/> <input type="checkbox"/>
Likely to affect a threatened species, population or ecological community protected under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> ?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Require an approval under Section 68 of the <i>Local Government Act 1993</i> for any of the activities listed on the next page?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Biodiversity compliant development <sup>◆</sup> ? If yes, please specify the reason in your Statement of Environmental Effects	<input type="checkbox"/> <input checked="" type="checkbox"/>
Require Concurrence <sup>◆</sup> from any authorities?	
Is the proposal <a href="#">State significant development</a> ? If yes, please provide (a) a list of authorisations and the applicable Act, (b) the capital investment value of the development.	<input type="checkbox"/> <input checked="" type="checkbox"/>
Is the land the subject of this application critical habitat?	<input type="checkbox"/> <input checked="" type="checkbox"/>



APPROVALS UNDER SECTION 68 – LOCAL GOVERNMENT ACT, 1993	
Do you wish to carry out any S68 activities (listed below) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES – Complete details below	
<p>If you wish to carry out one of the following activities, you need the approval of Council. Identify the activities you propose to carry out, and the relevant documents you need to include in your Application, by placing a cross in the appropriate boxes. Please include the relevant documents as detailed in the Section 68 Checklist with your Application. Note: Alternatively these can be applied for separately using 'Section 68 Application' form.</p> <p>Under Section 78A of the <i>Environmental Planning and Assessment Act 1979</i> a person can apply to Council for both a development consent and a S68 Approval in the one Development Application. In determining the Development Application, Council may apply any of the provisions under the Local Government Act 1993 that it could apply if the Development Application were an application under that Act for the relevant approval. In particular, if the Development Consent is granted, Council may impose a condition that is authorised under that Act to be imposed as a condition of consent.</p> <p>In granting a Development Consent in which a Section 68 approval is also contained, Council may, (without limiting any other condition in the Consent) impose in relation to the approval taken to have been granted under Section 68, either or both of the following conditions:</p> <p>(a) A condition that the approval is granted only to the applicant and does not attach to or run with the land to which it applies.</p> <p>(b) A condition that the approval is granted for specific time.</p>	
<p><b>A Structures</b></p> <p><input type="checkbox"/> A1 Installing a manufactured home, moveable dwelling or associated structure on land.</p> <p><b>B Water supply, wastewater and stormwater drainage work</b></p> <p><input type="checkbox"/> B1 Carrying out water supply work. Please choose: <input type="checkbox"/> Install/alter private ^ water system <input type="checkbox"/> Install/alter public infrastructure <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B2 Draw water from a Council water supply or a standpipe or sell water so drawn.</p> <p><input type="checkbox"/> B3 Install, alter, disconnect or remove a meter connected to a service pipe. <input type="checkbox"/> Establish new water service/meter connection <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B4 Carry out wastewater drainage work. <input type="checkbox"/> Establish new wastewater consumer service <input type="checkbox"/> Install/alter internal wastewater drainage <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B5 Carry out stormwater drainage work.</p> <p><input type="checkbox"/> B6 Connect a private drain or wastewater drain with a public drain or wastewater drain under the control of a Council or with a drain or sewer which connects with such a public drain or wastewater drain.</p> <p><b>C Management of waste</b></p> <p><input type="checkbox"/> C1 For fee or reward, transport waste over or under a public place.</p> <p><input type="checkbox"/> C2 Place waste in a public place.</p> <p><input type="checkbox"/> C3 Place a waste storage container in a public place.</p> <p><input type="checkbox"/> C4 Dispose of waste into a wastewater drain of the council.</p> <p><input type="checkbox"/> C5 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. (eg Install Septic System, AWTS etc) Please choose: <input type="checkbox"/> Aerated Waste Treatment System (AWTS) <input type="checkbox"/> Dry Composting System <input type="checkbox"/> Septic Tank <input type="checkbox"/> Wet Composting System <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> C6 Operate a system of wastewater management (within the meaning of Section 68A).</p>	<p><b>D Community Land</b></p> <p><input type="checkbox"/> D1 Engage in a trade or business.</p> <p><input type="checkbox"/> D2 Direct or procure a theatrical, musical or other entertainment for the public.</p> <p><input type="checkbox"/> D3 Construct a temporary enclosure for the purpose of entertainment.</p> <p><input type="checkbox"/> D4 For fee or reward, play a musical instrument or sing.</p> <p><input type="checkbox"/> D5 Set up, operate or use loudspeaker or sound amplifying device.</p> <p><input type="checkbox"/> D6 Deliver a public address or hold a religious service or public meeting.</p> <p><b>E Public roads</b></p> <p><input type="checkbox"/> E1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.</p> <p><input type="checkbox"/> E2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.</p> <p><b>F Other activities</b></p> <p><input type="checkbox"/> F1 Operate a public car park. ⇄</p> <p><input type="checkbox"/> F2 Operate a caravan park or camping ground.</p> <p><input type="checkbox"/> F3 Operate a manufactured home estate.</p> <p><input type="checkbox"/> F4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance.</p> <p><input type="checkbox"/> F5 Install or operate amusement devices (within the mean of the Construction Safety Act 1912).</p> <p><input type="checkbox"/> F6 Use a standing vehicle or any article for the purpose of selling any article in a public place.</p> <p><input type="checkbox"/> F7 Carry out an activity prescribed by the regulations or an activity of a class or description by the regulations.</p> <p><b>Note:</b></p> <p>^ <i>Private</i> means work/infrastructure that will be the responsibility of landowners, usually all development from the water meter or sewer tapping point, back to the dwelling/building.</p> <p>* <i>Public</i> means work/infrastructure that will be handed over for the responsibility of Council, eg, Council mains work/extensions etc.</p>

**REQUIRED ATTACHMENTS**

- ☒ 1 copy of the relevant Council checklist/s applying to the proposed development.  
☒ All plans/reports/documentation required by the above checklist.  
☐ 1 copy of directional map/details to the site for remote rural properties.

**POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT [Sec 117 (4) EP&A Act]**

Have you or any person with a financial interest in this development application made a political donation or gift within the last 2 years?

- ☒ No ☐ Yes – please complete and attach a Political Donations and Gifts Disclosure Statement (available from Council's website).

Applicants Signature

Name

Date

JEFF NIVEN

30-11-20

**CONSENT OF ALL OWNERS**

All owners must sign this application form or provide written authority for the lodgement of the application.

**Note: Company Ownership**

In the case of a company ownership, in accordance in s127 of the *Corporations Act 2001*, please state in the signature/name area the authority of each signatory (Director/Secretary etc) (eg as *Director of ABC Holdings Pty Ltd*) OR attach further documentation as required.

- ☐ Owners consent attached OR ↓

As the owner/s of the above property described in this application I/we consent to its lodgement. I/we hereby permit any duly authorised officer of Snowy Monaro Regional Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration the Act(s), Regulations, or Planning Instruments. We advise that as landowners we are not aware of any known hazards that may be of harm to officers visiting the site.

Signature

Name

Date

JEFF NIVEN

30-11-20

S

Name

Date

JANE SCHEER

30-11-20

**DECLARATION AND SIGNATURE OF APPLICANT**

I/we the undersigned hereby apply for approval of the development proposal as described and as per the plans and specifications and documents accompanying the Application. I/we undertake to develop in accordance with any approval granted by Council and conform with the provisions of the relevant Act(s), Regulations, codes and the Local Environmental Plan. I/we further undertake to pay any fee or charge assessed by Council in connection with development and indemnify Snowy Monaro Regional Council against all claims arising from negligence (or otherwise) resulting from work carried out in connection with the development within the road reserve.

Signature

Name

Date

JEFF NIVEN

30-11-20

Signature

Name

Date

**SITE WORKS MUST NOT COMMENCE WITHOUT COUNCIL APPROVAL**

Construction materials purchased/work done/arrangements made prior to consent are at the owner/applicants' risk.

▲ Designated Developments are listed in Schedule 3 of the *Environmental Planning and Assessment Regulations 2000*. Special procedures apply to the notification and assessment of Designated Development under the Act)

✦ Development that requires Concurrence is listed in 79B of the *Environmental Planning and Assessment Act 1979*.

✦ **biodiversity compliant development** means:

- (a) development proposed to be carried out on biodiversity certified land within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*, or
- (b) development in respect of which a biobanking statement has been issued in respect of the development under Part 7A of the *Threatened Species Conservation Act 1995*, or
- (c) development to which the biodiversity certification conferred by Part 7 of Schedule 7 to the *Threatened Species Conservation Act 1995* applies, or
- (d) development for which development consent is required under a biodiversity certified EPI (within the meaning of Part 8 of Schedule 7 to the *Threatened Species Conservation Act 1995*).



## Procedure



<b>Name of Procedure</b>	<b>Council Decision Contrary to Staff Recommendation</b>		
<b>Document Register ID</b>	250.2018.439.1	<b>Date Approved</b>	08/03/2018
<b>Document Author</b>	Director of Environment & Sustainability		
<b>Authorised by</b>	Director of Environment & Sustainability		
<b>Applicable to</b>	Environment & Sustainability		
<b>Purpose</b>	The purpose of this document is to minimise any potential problems which may arise from this situation and provide a clear framework within which appropriate decisions can be made.		
<b>Frequency</b>	When will this procedure be followed As required and in accordance with Policy Referral of Development Applications to Council		
<b>Hazard Identification</b>	Nil		
<b>Level of risk</b>	Legal Risk		

In a situation where a development application is reported to a Council meeting for decision, the staff report includes a commentary of the matters that legally must be considered in the assessment of a development application, and also makes a recommendation to the Council as to a decision.

**The Council is entitled to form its own decision and may therefore determine not to adopt the staff recommendation.**

The following procedure has been formulated to minimise any potential problems which may arise from this situation and provide a clear framework within which appropriate decisions can be made.

Reference should be made to Cl 100(c) of the Environmental Planning and Assessment Regulation 2000 which states that a notice of determination of an application must include: "If the application has been refused, or granted subject to conditions (other than conditions prescribed under Section 80A (11) of the Act) the consent authority's reasons for the refusal or for the imposition of those conditions".

Reference should also be made to Council's Code of Meeting Practice (Clause 20 (8)) and Council's Policy titled '*Referral of Development Applications for Council Determination*'.

**Situation 1: Staff recommend refusal however Council determine to approve**



### 1.1 Process:

- 1) The staff reasons for refusal should be displayed on the screen in full view of the meeting. The reasons for refusal should display the relevant section (including subsections) of the Environmental Planning and Assessment Act, 1979 or Regulations which they relate to. The reasons for refusal are to state whether there is a non-compliance with a procedural or prescriptive provision of the Act, Regulations or an environmental planning instrument (i.e. SEPPs, REPs or LEPs).

Note: An example of a prescriptive provision would be a particular minimum lot size. If a development is below a minimum lot size in a Local Environmental Plan (LEP), in the absence of an application under Clause 4.6 of the relevant LEP, the application must be refused.

An example of a procedural provision might be the need to obtain approval from another government body as part of integrated development. If the other government body refuses to grant their approval the application must be refused.

- 2) Two possibilities may arise:

*If there is a non-compliance with a prescriptive or procedural requirement* → the Council has no alternative. It can either refuse the DA or defer the decision and instruct the applicant to amend their application to comply.

*If there is no non-compliance with a prescriptive or procedural requirement* → The Council is free to form its own opinion on the proposed development and the recommended reasons for refusal, providing it is satisfied that it has duly considered the matters prescribed in Section 79C of the Environmental Planning and Assessment Act. The following actions are to be taken:

- (a) Record in the minutes beneath each reason for refusal the reason(s) it does not consider it warranted (refer also to Clause 20(8) of Council's *Code of Meeting Practice*); and
  - (b) Resolve to instruct the Director to prepare draft conditions of consent for submission to the next Council meeting. (Note the provisions of S.352 of the *Local Government Act* may apply).
- 3) Between Council meetings the Director is to prepare draft conditions of consent and include a copy of the full draft consent in the agenda for the next meeting.
  - 4) At the next meeting the Council may resolve to approve the application in accordance with the draft consent supplied by the Director. It may also make changes to any conditions it sees fit provided the changes do not contravene any legal requirements. The Council should consult with the Director at the meeting in this regard.

### Situation 2: Staff recommend approval however Council determines to refuse

Process:

SNOWY MONARO REGIONAL COUNCIL

**Procedure – Council Decision Contrary to Staff Recommendation**

- 1) In forming its determination to refuse the application, Council must be satisfied that it has duly considered the matters prescribed in Section 79C of the Environmental Planning and Assessment Act. The Council should prepare draft reason(s) for refusal of the application and display these on the screen at the meeting (refer also to Clause 20(8) of Council's *Code of Meeting Practice*).
- 2) The Director is to be consulted at the meeting to advise whether the draft reason(s) for refusal are considered to be legitimate reasons for refusal under the Environmental Planning and Assessment Act, 1979.
- 3) One of three possibilities may arise:
  - a) *If the reasons are considered to be legitimate* → the Council may resolve to refuse the application for those reasons. The reasons must be recorded in the minutes and the relevant section (including subsection) of the EP&A Act attached to them.
  - b) *If the reasons are not considered to be legitimate* → the Council must not refuse the application for those reasons. It may refuse it for other legitimate reasons or prepare new reasons and go back through the process.
  - c) *If the Director is not in a position to form the view that the draft reasons are legitimate at the meeting* → the Council should defer the decision and request that the Director provide further information (including the obtaining of legal advice if necessary) for consideration at the next meeting of Council.

It should be recognised that by refusing the application, the right of appeal to the Land and Environment Court is available to the applicant.

**Important background considerations**

- (a) Under Section 352 of the Local Government Act 1993, Councillors cannot instruct a staff member on the content of any advice or recommendation, however they can ask that advice or a recommendation be provided. Section 352 reads as follows:

***352 Independence of staff for certain purposes***

- (1) *A member of staff of a council is not subject to direction by the council or by a councillor as to the content of any advice or recommendation made by the member.*
  - (2) *This section does not prevent the council or the mayor from directing the general manager of the council to provide advice or a recommendation.*
- (b) If Council resolves to determine an application contrary to a staff recommendation, it should recognise that in doing so it may have to employ a planning consultant to defend their decision if an appeal is made to the Land and Environment Court, as a staff member may not be in a position to testify on behalf of the Council for something that is contrary to their own recommendation to the Council.

SNOWY MONARO REGIONAL COUNCIL

**Procedure – Council Decision Contrary to Staff  
Recommendation**

*Please reply to Cooma office.*

Our Ref: MH:jt:21295  
Your Ref: DA 10.2021.135.1

3 August 2021

Snowy Monaro Regional Council  
PO Box 714  
COOMA NSW 2630

**ATTENTION: JEFF MORGAN**

By email only: [Jeff.Morgan@snowymonaro.nsw.gov.au](mailto:Jeff.Morgan@snowymonaro.nsw.gov.au)

Dear Jeff,

**RE: JL & BM GRENFELL; PROPOSED DEVELOPMENT AT  
CARINYA LANE JINDABYNE**

We refer to our letter of 12 July 2021 and to the additional information relevant to this matter provided by Sarah Brown on 2 August 2021. Our responses to the additional questions posed by Sarah in her email to you of 2 August 2021 are set out below.

1. What is the difference between a section 88B instrument and a service deed?

A section 88B instrument, once registered on the title to the land, binds not only the parties to the instrument, but any successors in title to those parties. A service deed is personal to the parties to the deed and will not bind successors in title.

2. Can the Renwick service deed restrict the permitted land uses on the subject land?

In short, no, however there are two separate paths to reach that conclusion. Which path is relevant depends on whether the current registered proprietors of Lot 9 in DP 861805 are parties to the Renwick deed. There is nothing in any of the documentation provided to establish that they are. The likelihood that Mr & Mrs Grenfell are not parties to the Renwick deed arises from the following:

- a. The copy of the deed provided, from which the names of the parties have been deleted, applies only to Lot 2 in DP 825288. Contrary to what Council appears to have been advised,



**Blaxland  
Mawson  
& Rose**

**Solicitors**

Serving the Monaro  
Since 1868  
ABN 90 516 497 474



**PARTNERS**

**Mark Herbert**  
*Accredited Specialist – Business Law*  
**Kirsty Salvestro**  
**Joanne van der Plaats**

**SOLICITORS**

**Emma Schlachter**  
**Margaret Peterson**  
**Robert Coyte**

**LICENSED CONVEYANCER**  
**Tara Kaufling**

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9/861805 was not created by a subdivision of 2/825288, but by a subdivision of Lot 8 in Deposited Plan 825288. Whilst it is reasonable to assume that equivalent deeds were entered into by purchasers of other lots in DP 825288, it appears that Lot 8 was the residue lot in the first subdivision, retained by the developer and therefore quite possibly not covered by the deed.

- b. When 8/825288 was subdivided to create Lots 9 and 10 in DP 861805 a new deed between Renwick and the first purchaser of 9/861805 would have needed to be exchanged in order to bring 9/861805 under the provisions of the deed. No evidence of such a deed has been provided.
- c. When Mr & Mrs Grenfell purchased 9/861805 in 2018, they could not be bound by the provisions of the deed unless they signed and exchanged a new copy external to the contract of sale of land. That they did not is indicated by:
  - (i) There is no disclosure of the existence of the deed on the title to Lot 9, such as by registration of a caveat,
  - (ii) There is no special condition in the contract providing for the purchasers to enter into a deed as a condition of completion of the contract,
  - (iii) No copy of any existing deed is annexed to the contract, and
  - (iv) The email from the Grenfells' solicitor indicates the existence of the deed was not disclosed.

We note Sarah's comment, in her email of 2 August 2021 that the Grenfells may have subsequently paid a sum of money to to "join the deed". However we also note the record of the meeting of the shareholders of Renwick Pty Limited on 11 June 2021 makes no mention of the attendance by, or apologies from, the Grenfells. As the deed also provides that landowners are to be issued shares in and appointed as directors of the company once the deed is exchanged, the absence of any reference to the Grenfells in the minutes of the meeting indicates they have not executed the deed.

Therefore, before determining whether the deed provides any ability to restrict the Grenfells from their proposed use of the land, Council should ask Renwick to produce a copy of a Service Deed executed by JL and BM Grenfell as owners of 9/861805. In the absence of such a copy, the effect of the deed is irrelevant to the current application, as the applicants are simply not bound by the deed.

Even if Renwick can establish that the Grenfells are bound by the provisions of the deed, those provisions would not prevent their proposed use of Lot 9. The deed creates:

- 2.1. Rights for the owners of lots in the subdivision (the users) to use roads and water supply infrastructure established and maintained by Renwick;
- 2.2. Obligations by the users to pay fees for the use of and to contribute to the costs of repairs and maintenance to the water supply infrastructure, which can be terminated at will by the users; and
- 2.3. Obligations by the users to pay fees for the use of and to contribute to the costs of repairs and maintenance to the access road which cannot be terminated by the users.

Those rights are supported by Rights of Carriageway and Easements for Water Supply, burdening Lot 10 in DP 861805 and benefitting every other lot, which are registered on the title to those lots.

None of the rights or obligations described above, or the easements that support them, are disturbed by the proposed use of Lot 9. We note that the proposed cabins will have an independent water supply so they will not add any additional burden to the shared water supply infrastructure and the anticipated increase in the use of the access road is only 5%.



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- 3 -

4 August 2021

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3. Can a service deed be amended to restrict permitted land uses.?

Yes, but only with the written agreement of all parties to the deed or any affected land owners who are not parties. Therefore, the proposed amendment to the deed resolved by Renwick in its meeting on 11 June 2021 cannot impose any additional restrictions on the use of Lot 9 unless the owners of that lot evidence their consent in writing

Yours faithfully

BLAXLAND MAWSON & ROSE

Per:

MARK HERBERT

[mark@bmrlawyers.com.au](mailto:mark@bmrlawyers.com.au)

PLAN FORM 2

Signature and Seals Only

Plan Drawing only to appear in this space

OFFICE USE ONLY

DP 861805

Registered: 20-8-1996

CA: NO 16196 OF 1-8-1996

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: CO WALLACE 1

Last Plan: DP825288

PLAN OF SUBDIVISION OF LOT 8 D.P. 825288

Lengths are in metres Reduction Ratio 1:5000

LGA: SNOWY RIVER

Locality: CARINYA

Parish: ABINGTON (1)

County: WALLACE

This is sheet 1 of my plan in sheets (delete if inapplicable)

1. PETER WILLIAM BURNS  
P.O. BOX 737, COOMA, 2630

A surveyor registered under the Surveyors Act 1988, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Survey Practice Regulation 1989 and was completed on 20.8.1996.

*Peter William Burns* (Signature)  
Surveyor registered under the Surveyors Act 1988

Datum Line of Assumed "A-B"

Plans used in preparation of survey/compilation  
D.P. 533787  
D.P. 825288

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PURSUANT TO SEC. 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:-

1. RIGHT OF CARRIAGEWAY 20 WIDE & VARIABLE
2. EASEMENT FOR WATER SUPPLY 20 WIDE & VARIABLE
3. EASEMENT FOR RESERVOIR
4. EASEMENT FOR WATER SUPPLY OVER APPROXIMATE POSITION OF EXISTING LINE OF PIPES & PUMP
5. RESTRICTION ON USE

REFERENCE MARKS

MARK	BEARING	DISTANCE	FROM
A	315° 00'	1.43	G.I.P. FD (D.P. 533787)
B	175° 55'	1.13	G.I.P. FD (D.P. 533787)
G	205° 27'	1	G.I.P. FD (D.P. 825288)
H	206° 28'	2.35	G.I.P. FD (D.P. 825288)

PEGS 4 R.M. G.I.P. GONE

\* CREATED BY D.P. 825288

- RIGHT OF CARRIAGEWAY 20 WIDE & VARIABLE
- EASEMENT FOR WATER SUPPLY 20 WIDE & VARIABLE
- EASEMENT FOR RESERVOIR
- EASEMENT FOR WATER SUPPLY OVER APPROXIMATE POSITION OF EXISTING LINE OF PIPES AND PUMP
- RESTRICTIONS ON USE
- RIGHT OF CARRIAGEWAY 20 WIDE & VARIABLE
- EASEMENT FOR WATER SUPPLY 20 WIDE & VARIABLE
- EASEMENT FOR RESERVOIR
- EASEMENT FOR WATER SUPPLY OVER APPROXIMATE POSITION OF EXISTING LINE OF PIPES AND PUMP

PARISH OF CLYDE

RIVER

MOYABA

STEELES

CREEK

Table of mm

110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Box: SNOW / DocID: 0861805 P / Rev: 21-Aug-1996 / Sta: OK OK / Pdt: 26-Nov-2001 18:03 / Pgs: ALL / Seq: 1 of 1

WARNING: Electronic Document Supplied by DPI NSW For Your Internal Use Only

SURVEYORS REFERENCE: 1671/2 CHECKLIST

Box:SNOW /Doc:DP 0861805 B /Rev:21-Aug-1996 /Sts:OK.OK /Prt:26-Nov-2001 18:49 /Pgs:ALL /Seq:1 of 5  
WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only

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

(Sheet 1 of 5 sheets)

Lengths are in metres:

**PART 1**

**DP 861805**

Subdivision of land  
Covered by Council Clerk's  
Certificate No. 16 of 1996

Full name and address of  
proprietor of the land

**PETER RICHARD SPRATT**  
of Carinya Holiday Village off  
Dalgety Road Jindabyne

1. Identity of easement  
firstly referred to in  
abovementioned plan:

Right of carriageway  
20 wide and variable.

Schedule of Lots affected

Lots burdened  
Lot 10

Lots Benefited  
Lot 9

2. Identity of easement  
secondly referred to in  
abovementioned plan:

Easement for water supply  
20 wide and variable

Schedule of Lots affected

Lots Burdened  
Lot 10

Lots Benefited  
Lot 9

3. Identity of easement  
thirdly referred to in  
abovementioned plan:

Easement for reservoir

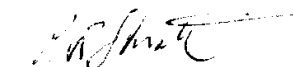
Schedule of Lots affected

Lots Burdened  
Lot 10

Lots Benefited  
Lot 9

4. Identity of easements  
fourthly referred to in  
abovementioned plan:

Easement for water supply over  
approximate position of existing  
line of pipes and pump



**SERVICES DEED**

**THIS DEED** made the \_\_\_\_\_ day of \_\_\_\_\_ c e thousand  
nine hundred and ninety six.

**WHEREAS:-**

- A. By an Agreement for Sale of Land dated 1996 entered into between the Provider and the User for the sale to the User of that piece and parcel of land known as Lot 2 in DP 825288 being the whole of the land described in Certificate of Title Folio Identifier 2/825288 (hereinafter called "the Subject Land"). The User covenanted to enter this Deed for the provision of services to the Subject Land.
- B. The Company agrees to sell and provide to the User the Services referred to in parts A and B and in Schedule 1 hereof.
- C. The User has agreed to acquire from the Company the Services referred to in Schedule One and upon the terms and conditions hereinafter set forth.
- D. The User has agreed to acquire from the Provider and to hold eight (8) ordinary fully paid shares in the Company and to accept an appointment to the Board of Directors of the Company.

**DEFINITIONS AND INTERPRETATIONS**

In this Deed except where the context otherwise requires the following words and expressions shall have the meaning attributed to them as follows:-

- (a) "the Services" means the service or activity described in Schedule One to be provided by the Company to the User.
- (b) "the Fee" means the sum or sums of money charged by the Company for the use of the Services and being

that sum set out in Schedule Two hereto and any increase or review thereof from time to time.

- (c) "Administration Levy" means and includes all costs of or associated with the costs to the Company of providing the Services including but without limiting the generality of the foregoing the costs of wages insurances stationery postage photocopying and general administrative costs and expenses.
- (d) "Review Dates" means the dates specified in Schedule Three upon which the Fee shall from time to time be reviewed.
- (e) "the User" means the registered proprietor and if more than one, then each of them, of the Subject Land.

copy out  
NOT  
9/1/2020

\* EXCEPT WHERE THE CONTEXT OTHERWISE REQUIRES: \*

- (a) A reference to any statutory provision shall be construed as a reference to that provision as respectively amended or re-enacted (either before or after the date of this Deed) from time to time.
- (b) A reference to the singular number includes a reference to the plural number and vice versa.
- (c) A reference to any gender includes a reference to the other gender and to each of them.
- (d) A reference to a person shall include a reference to a company and vice versa.
- (e) Where any party to this Deed is comprised of more than one legal person all or any covenants and warranties expressed in or implied by the Deed shall bind any two or more of such legal persons jointly and each of them severally.

**NOW THIS DEED WITNESSES** that:

1. In consideration of these presents the Parties hereto covenant with each other as hereinafter set forth:-

**PART A**

2. The Company covenants with the User as follows:-

- (i) to construct install and lay all such reservoirs pumps meters pipelines tanks and mains (hereinafter called "the part A Capital Works") within the easement to supply water secondly and fourthly referred to in Deposited Plan 825288 in order to provide water to a point on the north eastern boundary of the Subject Land;

11/1/20

11/1/20



- (ii) to provide a metered water supply to the Subject Land including the operation control supervision management examination maintenance renewal replacement and repair of the part A Capital Works (hereinafter called "the Services"); and
- (iii) to render to the User on or about the dates referred to in Schedule Four hereof statements of account for the costs incurred by the Company in relation to the provision by the Company of the Services for the supply of water to the User and for the consumption of water by the User.

3. The User covenants with the Company as follows:-

- (i) at the cost and expense in all respects of the User to install and lay all such pipes and lines of pipes as may be necessary to connect the User to the meter referred to in Clause 2(i) above installed by the Provider in order to supply water to a point within the Subject Land;
  - (ii) at the User's cost in all respects to maintain repair renew and replace such pipes or lines of pipe from time to time as may be necessary in order to supply water within the Subject Land; and
  - (iii) to pay to the Company the Fee stipulated in the statement or account issued by the Company within a period of fourteen (14) days from the date of issue shown on such statement of account.
4. The User may by giving not less than ninety (90) days notice in writing to the Company terminate the Services to which this Part A only relates **AND** the parties hereto agree that this Part A is severable.

**PART B**

5. The Company further covenants with the User as follows:

- (i) to construct and lay a road (hereinafter called "the Part B Capital Works") within the right of carriageway firstly referred to in the Deposited Plan 825288 to provide access to the Subject Land;
- (ii) to maintain repair and renew the Part B Capital Works from time to time as may be necessary (hereinafter called "the Services") in order to maintain the Part B Capital Works to a suitable standard; and
- (iii) to render to the User on or about the dates referred to in Schedule Five hereof statements of account for all costs of or associated with the provision by the Company of the Services referred to in clause 5(ii) above.

6. The User further covenants with the Company as follows:-

- (i) to pay to the Company the Fee stipulated in the statement of account issued by the Company within a period of fourteen (14) days from the date of issue shown on such statement of account.
- (ii) that if the User shall at any time sell or dispose of any part of its estate or interest in the Subject Land or any part thereof it shall be condition precedent of such sale or disposition that any such purchaser or donee from the User shall enter into a deed in the same terms, mutatis mutandis, as this Deed.

**GENERAL:**

7. If any statement of account or any Fee or any part thereof payable by the User pursuant to either Part A or Part B hereof remains unpaid for a period in excess of fourteen (14) days aforesaid then the Company may without notice to the User:-

- (i) in respect of all such sums relating to Part A hereof to discontinue the supply of water to the Subject Land and to recover from the user all such moneys as may then be due and payable, including interest, administrative expenses, legal costs and the like from the user as a liquidated sum in any Court of competent jurisdiction; and
- (ii) in respect of all such sums relating to Part B hereof to the Subject Land and to recover from the user all such moneys as may then be due and payable, including interest, administrative expenses, legal costs and the like from the user as a liquidated sum in any Court of competent jurisdiction.

8. The Parties covenant further as follows:

- (i) the Provider shall forthwith upon the execution hereof transfer to the User eight (8) fully paid ordinary shares in the Company (hereinafter called "the User's Shareholding") and the User shall accept such shares aforesaid;
- (ii) the User shall hold the User's Shareholding for so long as this Deed shall continue to operate and during such time shall accept and hold the office of Director of the Company; and
- (iii) forthwith upon the termination of this Deed the User shall do all acts and things and sign all documents as may be necessary to transfer to the nominee of the Company the User's Shareholding and

SCHEDULES

**SCHEDULE ONE**

PART A:- The sale and supply of water to the Subject Land (including the maintenance renewal placement and repair of the Part A Capital Works from time to time).

PART B:- The maintenance renewal and repair of the Part B Capital Works.

**SCHEDULE TWO**

PART A:- (i) A sum equivalent to the rate per kilolitre charged for water supplied within the town of Jindabyne by the Council of the Shire of Snowy River from time to time PLUS five percentum (5%) PROVIDED that such sum shall not be less than \$55.00 per quarter; and  
(ii) A sum equivalent to eight percentum (8%) of the total costs of the Services referred to in Clause 2(ii) hereof.

PART B:- (i) A sum equivalent to eight percentum (8%) of the total costs of the Services referred to in Clause 5(ii) hereof.

**SCHEDULE THREE**

PART A:- 1 January 1993 and annually thereafter.

**SCHEDULE FOUR (Clause 2(iii), Part A)**

The 1st days of January, April, July and September in each year.

**SCHEDULE FIVE (Clause 5(iii), Part B)**

Within fourteen (14) days of the completion of such works as may be necessary pursuant to Clause 5(iii) hereof from time to time.

**SCHEDULE SIX (Clause 9)**

Two Hundred Dollars (\$200.00) per annum (to be reviewed annually on the 1st January in each year).

105



to resign from the office of Director of the Company.

- (iv) the User covenants for himself his executors and assigns that he shall not transfer to Subject Land except to a person or corporation who covenants with the Provider and the Company, which covenant shall be a condition of any such transfer or assignment by the User, to enter into a Deed in the same terms, mutatis mutandis, with the Provider and the Company as these presents.

9. In addition to the sums which shall be payable by the User from time to time pursuant to clauses 2(iii) and 5(iii) hereof the User shall pay the Administration Levy referred to in Schedule Six or such greater sum as the Company in general meeting shall deem appropriate.

10. Any such notice as may be served by the User upon the Company pursuant to Clause 4 above shall be sufficiently served if it is forwarded by pre-paid registered mail to the registered office of the Company shown herein and such service shall be deemed to have been effected at the expiration of three (3) business days from the date of such posting.

**IN WITNESS WHEREOF** the parties hereto have set their hands on the day and year first hereinbefore set forth.

PROPOSED DEVELOPMENT - J. & B. GRENFELL  
2 CHARLOTTE LANE JINDABYNE NSW 2627

Index

-	Notes 1
-	Notes 2
304-01-G	Site Plan
304-02-G	Notification Plan
-	Floor Plans & Elevations
-	Specification



Project Details

PROJECT TYPE  
ECO CABINS / HOLIDAY LETTING

Applicant - J. & B. GRENELL  
Location - 2 CHARLOTTES LANE JINDABYNE NSW 2627  
Deposited Plan Number - 861805  
Lot Number - 9  
Site Area - 4.099 Ha

General Notes

1. These drawings are copyright and shall remain the property of TZ Design Pty Ltd. Unauthorised amendment, retention, copying and use of these documents, in any form whatsoever, is strictly prohibited.
2. These drawings are to be read in conjunction with all other consultants documents.
3. All dimensions in millimetres unless noted otherwise. Figured dimensions are to be used in preference to scaling from drawings. Any discrepancies shall be immediately referred to TZ Design. Setting out of the works by the architectural drawings unless noted otherwise.
4. Contractor must verify all dimensions on site before commencing any work or making any shop drawings which must be approved before manufacture.
5. All workmanship and materials to comply with the Building Code of Australia, relevant Australian Standards, and the requirements of all associated authorities having jurisdiction over the works.
6. Refer to the specification. The specification forms part of these drawings.
7. These drawings are intended as a guide only. Whilst every care has been taken in the preparation of these documents, no liability is assumed for the material contained herein.
8. No warranty is given or implied as to the accuracy of the whole or any part.
9. These drawings form part of the proprietor's requirements for the design and construction of this project. The builder may vary the works described in these drawings with the prior approval of TZ Design.
10. Contractors should make their own investigations and satisfy themselves with respect to all aspects of the project, including existing conditions, adjoining properties and access to the site.

Specification Notes

GENERAL NOTES

All construction is to be in accordance with the National Construction Code 2019.

Concrete construction is to comply with AS3600.

Masonry construction is to comply with AS3700.

Steel construction is to comply with AS4100.

Timber construction is to comply with AS1720.1, AS1684 and the Timber Framing Code.

Stairs and landings are to comply with Part 3.9.1 of the NCC.

Balustrades/Handrails are to comply with Part 3.9.2 of the NCC.

Damp and weatherproofing is to be in accordance with Part 2.2 of the NCC.

WC doors are to comply with the NCC.

Lighting in all areas is to comply with Part 3.8.4 of the NCC.

Ventilation is to comply with Part 3.8.5 of the NCC.

All dimensions and levels on plans are to be confirmed on site prior to commencing construction.

Where possible all new construction is to match existing when extending and/or renovating.

All dimensions are in millimetres unless noted otherwise.

TERMITE PROTECTION

Provide termite protection in accordance with AS3660.

The builder and owner shall:

1. Negotiate an option for termite control within the code. The builder shall make available to the owner information written for the consumer relating to termite protection options.
2. Record in writing the selected option and each retain a copy signed by both parties.
3. A copy of the option selected is to be provided to the local authority with the building application.

The home owner and subsequent owners shall be responsible for arranging inspections by a trained person at maximum intervals of twelve months.

Should the current owner wish to sell the residence, it shall be their responsibility to provide the new owner with a copy of the signed termite protection option adopted.

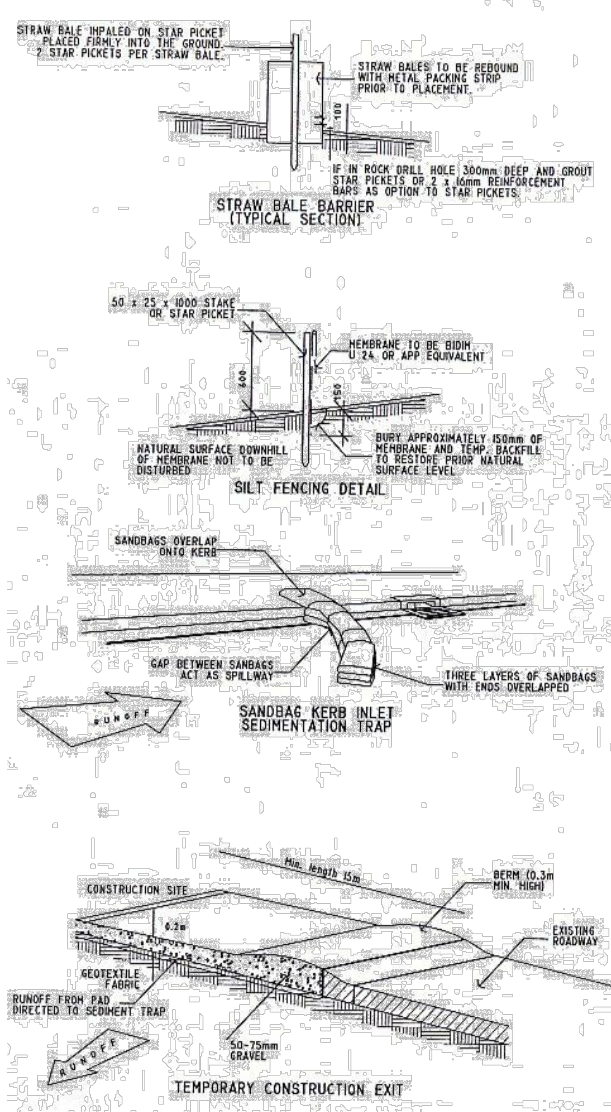
TIMBER FRAMING NOTE

All timber framing to be in accordance with NCC 2019 and comply with AS1684 & AS1720 and Timber Framing Code.

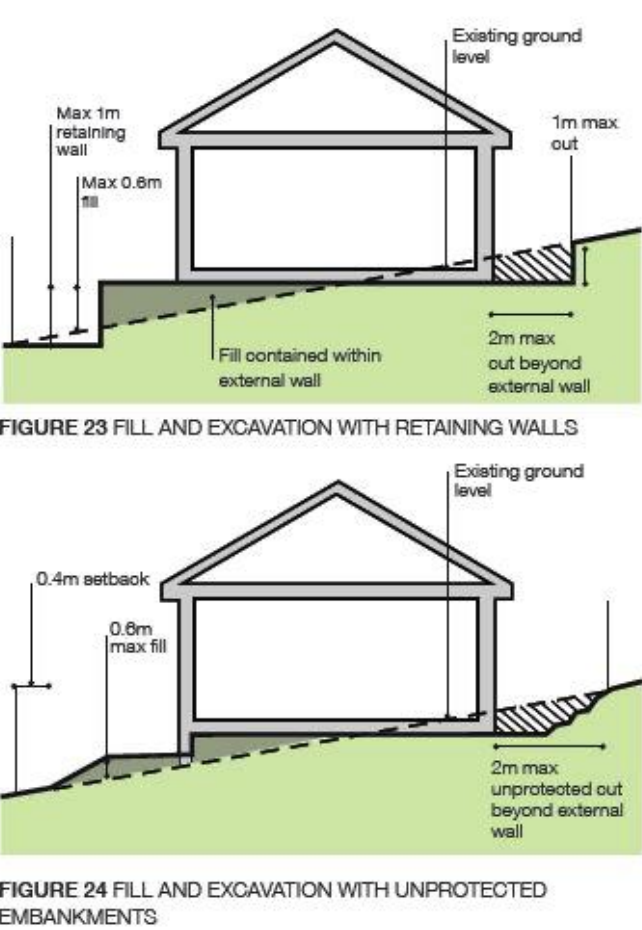
STRUCTURAL ENGINEERING NOTE

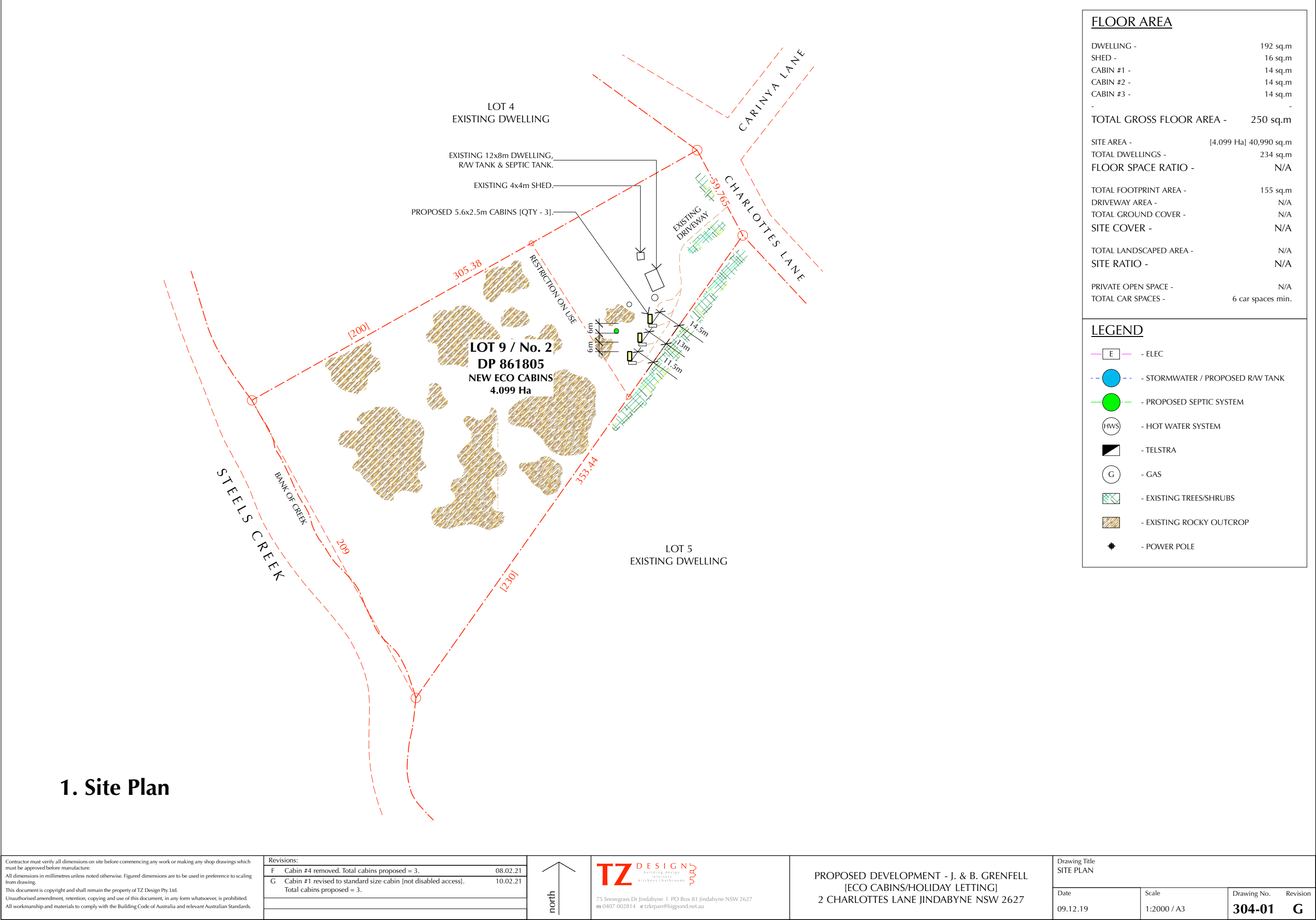
Refer to Structural Engineering Design & Specification for all structural components. Any discrepancies with Architectural Drawings shall be immediately referred to TZ Design.

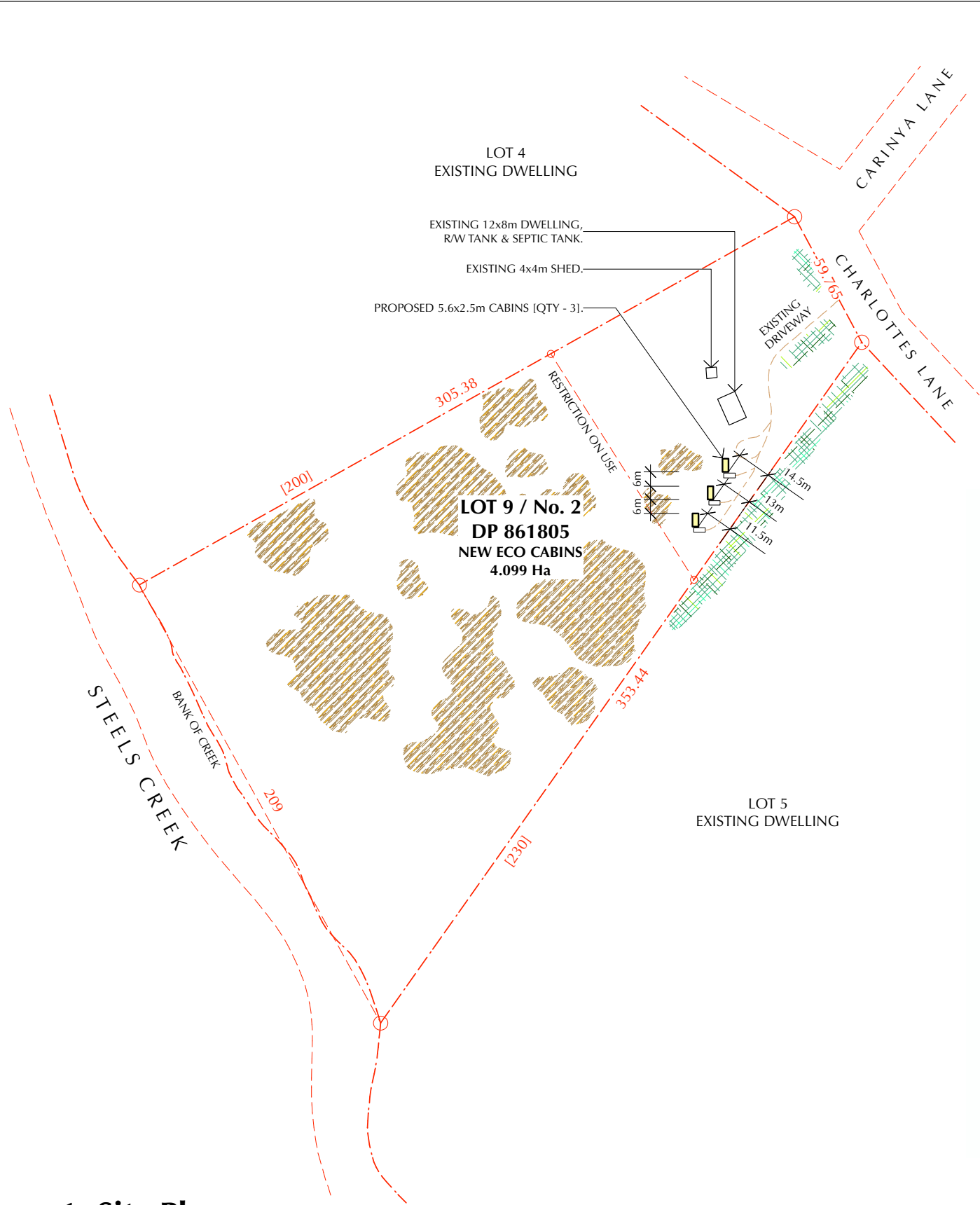
Erosion/Sediment Control Details



Typical Fill & Excavation Details







1. Site Plan

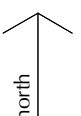


Name: Contemporary Blonde	Drawing Type: Not for Construction	Scale:	Contact: John Hannan   +61 433 385 337
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2. Elevations

Contractor must verify all dimensions on site before commencing any work or making any shop drawings which must be approved before manufacture.  
All dimensions in millimetres unless noted otherwise. Figured dimensions are to be used in preference to scaling from drawing.  
This document is copyright and shall remain the property of TZ Design Pty Ltd.  
Unauthorised amendment, retention, copying and use of this document, in any form whatsoever, is prohibited.  
All workmanship and materials to comply with the Building Code of Australia and relevant Australian Standards.

Revisions:		
F	Cabin #4 removed. Total cabins proposed = 3.	08.02.21
G	Cabin #1 revised to standard size cabin [not disabled access]. Total cabins proposed = 3.	10.02.21

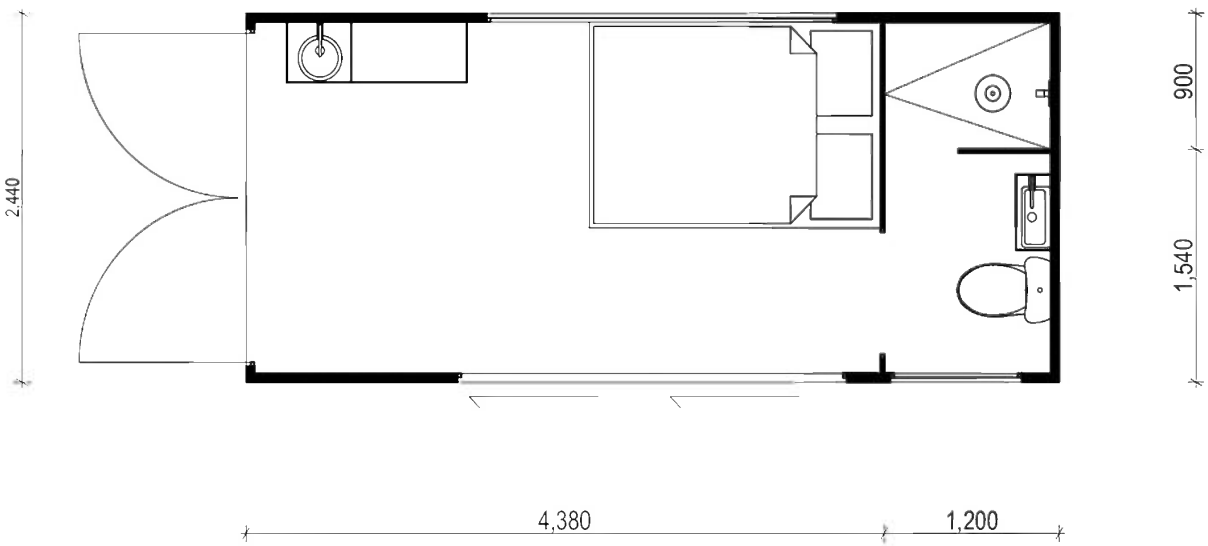


**TZ DESIGN**  
building design  
interiors  
kitchens & bathrooms

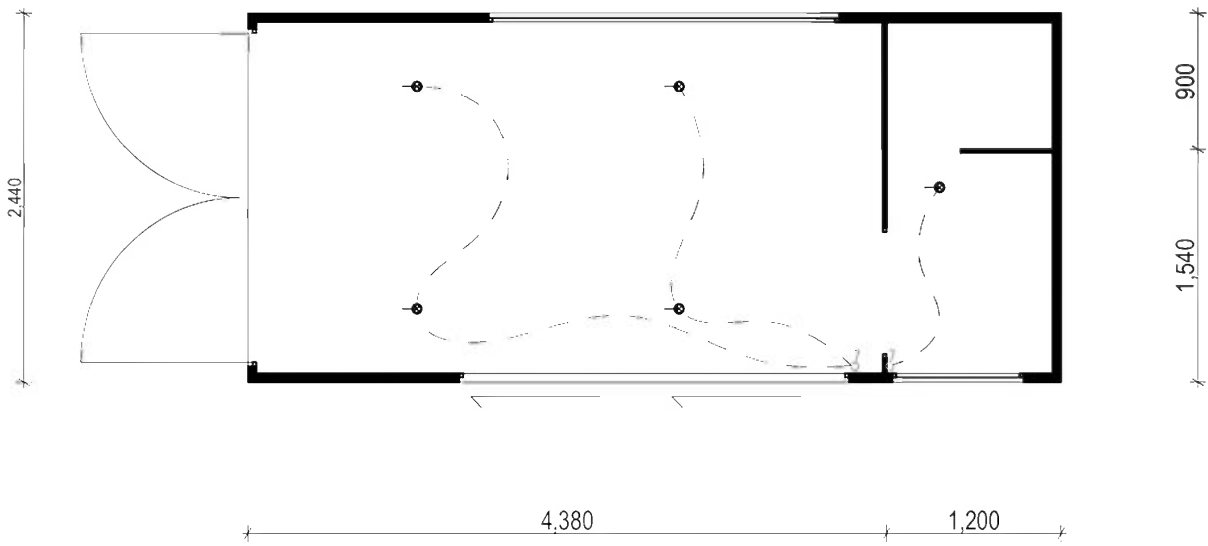
75 Snowgrass Dr Jindabyne 1 PO Box 81 Jindabyne NSW 2627  
m 0407 002814 e tzkran@bigpond.net.au

PROPOSED DEVELOPMENT - J. & B. GRENELL  
[ECO CABINS/HOLIDAY LETTING]  
2 CHARLOTTE LANE JINDABYNE NSW 2627

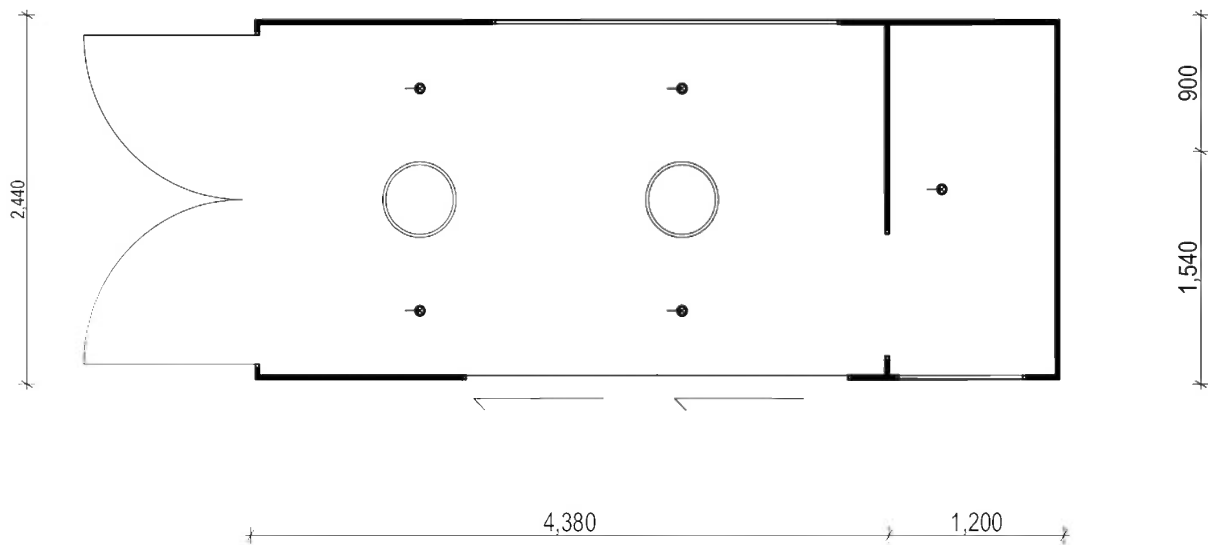
Drawing Title NOTIFICATION PLAN			
Date 09.12.19	Scale NOT TO SCALE	Drawing No. <b>304-02</b>	Revision <b>G</b>



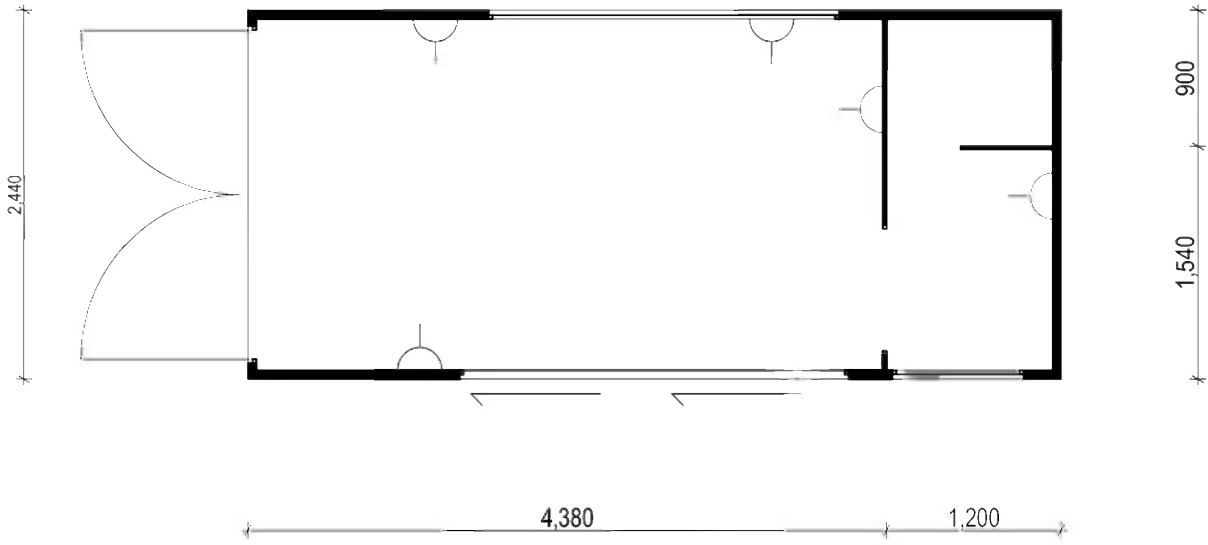
1. FLOOR PLAN



3. LIGHTING PLAN



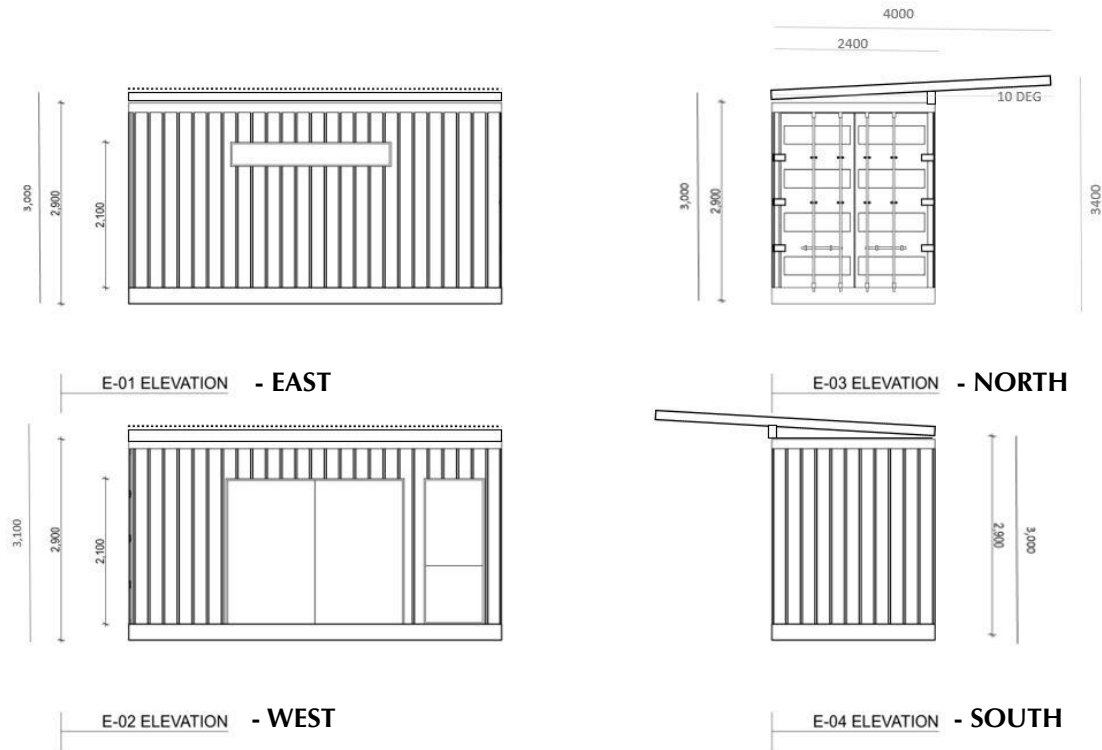
2. REFLECTED CEILING PLAN



4. ELECTRICAL PLAN

NOT FOR CONSTRUCTION

THE CONTEMPORARY BLONDE	COMPANY BLACK FLY CONTAINERS	SCALE 1:50	CONTACT TEL: +61 433 385 337 EMAIL: blackflyptyltd@gmail.com
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Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:

Contact:  
John Hannan | +61 433 385 337

**CABINS #2 - 4**





BLACK FLY PTY. LTD

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Converted Shipping Containers

## Concept Brief: Design and Construct

### Product and Materials:

- Treated Timber Frame
- Moisture Barrier Wrap
- Galvanised Steel Post
- R3.5 Earthwool Batts
- Natural Timbers
- Concrete Textures

### Design And Construct:

- Identify Key Requirements for Desired End Use
- Budget
- Combination of Unique Materials
- Local Materials Sourced for Indicative Climate

### General Comments:

- Containers being completely customizable deliver truly unique spaces that complement your home or lifestyle

Condensation protection from our moisture barrier wrap

Treated timber framing for added protection from Termites

Earthwool Batts, made from recycled glass contain no formaldehyde and are eco friendly

Galvanized Steel post with PFC beams for our windows and door penetrations



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337

## Concept Brief: Fixtures, Fitting And Textures

### Product and Materials:

- Blackbutt timber
- Concrete Effect Panels
- Black Cabinetry
- Matte Black Tapware

### Constraints and Restrictions:

- Locally sourced materials ensure longevity for climate specific builds
- Smart Connectivity with every aspect of our builds being able to be controlled remotely
- BAL Rating 40 Compliance available

### Indicative Cost:

- Starting from \$27,460.00 +GST

### General Comments:

- Luxury feeling throughout
- Unique material selection
- Exceptional build quality



Natural timbers featured within the Contemporary range tell a unique story as everyone has its own features



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337

## Concept Brief: Bathroom Selection

### Product and Materials:

- Matte Black Fittings and Fixtures
- Glass Shower Screen
- Back to Wall Toilet
- Rain Head
- Storage

### Constraints and Restrictions:

- Bathrooms sizes are completely customizable
- Choice of Layout and Linings

### General Comments:

- Luxury fittings and fixtures make our bathrooms

Spacious 1200mm wide bathroom allows for ample space with functionality in mind



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337

## Concept Brief: Container Selection

### Product and Materials:

- New Build High Cube Containers
- B Grade High Cube Containers

### Constraints and Restrictions:

- New Build Containers not available with skylights

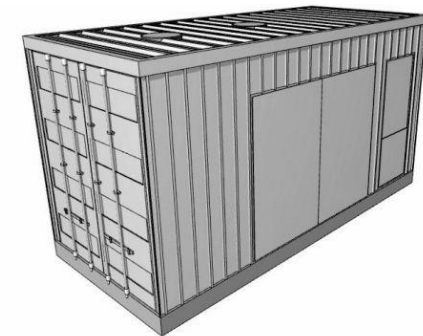
### General Comments:

- Customers choice of containers for their build

Skylight is constructed into the top of the container. The following options will be available:

- Natural skylight
- Porthole ventilation
- Removable skylight hatch
- Steel reinforced cover

We have access to a unique range of grain containers, allowing us to transform their access points into skylights



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337



## Concept Brief: Installation

### Product and Materials:

- Surefooting System

### Constraints and Restrictions:

- Surefooting System can be applied to any soil type
- Any topical elevation or decline

### Indicative Cost:

- 20ft container \$2,700.00

### General Comments:

- Fast effective solution
- Zero impact on surrounding vegetation
- Engineering Sign off

Surefooting system can be used to install in any environments in any soil types



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337

## Concept Brief: Service Connection

### Product and Materials:

- Plumbing Fittings-Auspex
- Electrical - 10 Amp caravan plug connection point
- J Box Connection point to be hard wired

### Indicative Cost:

- Depending on your existing services connection prices will vary

### General Comments:

- Black Fly Containers can be constructed for connection to town services of complete off grid designs

Auspex plumbing pipes allow for simple connection to services keeping installation cost to a minimum



Clipsal weatherproof electrical connection points offer a range adaptable to your connection requirements



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337

## Concept Brief: Delivery

### Product and Materials:

- Tilt Tray Tow Truck
- Side Loader
- Crane truck

### Indicative Cost:

- Rates from \$3.30 Per Km minimum charges apply

### General Comments:

- Site constraints determine best delivery option with crane services available for out of reach positioning



Name:  
Contemporary Blonde

Drawing Type:  
Not for Construction

Scale:  
1:50

Contact:  
John Hannan | +61 433 385 337



## CONDITIONS OF CONSENT

10.2020.135.1

### Part A – Administrative Conditions

**Reason for imposition of conditions:** Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

**ADM\_01 Endorsed plans and supporting documentation:**

Development must be carried out in accordance with the following plans and documentation, except where amended by Council and/or the conditions of this development consent.

Plan No.	Plan Title.	Drawn By.	Dated.
304-01-G	Site Plan	TZ Designs	10.02.21
SK1-10.2020.135.1	Floor Plan	Black Fly Containers	unknown
SK2-10.2020.135.1	Elevations	Black Fly Containers	unknown

Document Title.	Prepared By.	Dated.
Statement of Environmental Effects	Complete Town Planning	March 2020
BASIX Certificate – 10831877M_02	Energysavers	23/09/2020
NatHERs Certificate – 4993499-01	Energysavers	23/09/2020
NatHERs Certificate – 4993507-01	Energysavers	23/09/2020
NatHERs Certificate – 4993523-01	Energysavers	23/09/2020

In the event of any inconsistency between the approved plans and the supporting documentation, the plans will prevail.

*Reason: It is in the public interest that work is carried out in accordance with the approved plans. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.*

**ADM\_02 Inconsistency between documents**

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

**ADM\_03 Compliance with the Building Code of Australia and insurance requirements under the Home Building Act 1989**

For the purposes of section 4.17(11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- a. that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- b. in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- c. to the extent to which an exemption is in force under the Home Building Regulation 2004, or
- d. to the erection of a temporary building.

**Note:** In this condition, a reference to the BCA is a reference to that code as in force on the date the application for the relevant Construction Certificate is made

*Reason: To ensure the development complies with the requirements of Clause 98 of the Environmental Planning and Assessment Regulations 2000, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended*

**ADM\_06 BASIX requirements**

Under Clause 97A (3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.

Relevant BASIX Certification means:

- a. A BASIX Certificate that was applicable to the development when this development consent was granted or modified in accordance with Section 4.55 of the EP&A Act, being BASIX Certificate No 10831877M\_02 23



September 2020 or;

- b. If a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate.

*Reason: To ensure the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17 (11) of the Environmental Planning and Assessment Act 1979, as amended.*

#### **Part B – Other Approvals**

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##### **OA\_04 Water supply, stormwater and sewerage works**

Prior to issue of the Construction Certificate, an application pursuant to Section 68 of the Local Government Act 1993 to carry out water supply, stormwater and sewerage works must be submitted to Council.

The developer is to ensure that approval for the s68 application must be obtained prior to any plumbing and drainage works being undertaken on the site

Note - Failure to obtain the Section 68 Approval prior to works being undertaken may result in the developer receiving a monetary penalty and the plumber being subject to investigation by the Department of Fair Trading and a fine exceeding \$1500.

##### **OA\_05 Separate Section 68 Approval to Install On-site Sewage Management System**

Notwithstanding the issue of this development consent, separate approval from council under Section 68 of the Local Government Act 1993 to install on-site sewage management system must be obtained prior to release of the Construction Certificate. Application for approval under Section 68 to Install On-site Sewage Management System must be submitted on council's standard application form and be accompanied by the required attachments and prescribed fee.

##### **OA\_06 Separate Section 68 Approval to Install a Relocatable Home**

Notwithstanding the issue of this development consent, separate approval from Council under Section 68 of the Local Government Act 1993 must be obtained prior to installation of the relocatable home. In this regard, a S68 Application to Install a Relocatable Home must be submitted on councils standard application

form be accompanied by the required attachments and prescribed fee and approved prior to installation.

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**Part C – Prior To the Issue of the Relevant Construction Certificate**

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**PCC\_02 Section 7.11 Contributions**

The payment of contributions to Council is required to cater for the increased demand for infrastructure resulting from the approved development pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development:

Community Services and Facilities	\$ 552
Regional Waste	\$ 663
Bushfire Services	\$ 13
Open Space and Public Art	\$ 168
Sports-field and Recreation Facilities	\$ 102
Jindabyne Area Shared Trails	\$ 582
Jindabyne Area Shared Pathways	\$ 66
<b>Total</b>	<b>\$2,146.00</b>

The above contributions have been imposed in accordance with the Snowy River Development Contributions Plan. The contribution is based on an additional one (1) bedroom dwellings at 0.29 of an ET. Contributions will be reassessed at the time of payment in accordance with Council's adopted Fees and Charges and may be subject to an increase by CPI. Contributions will be reassessed at the time of payment in accordance with Council's adopted Fees and Charges and may be subject to an increase by CPI. The above-specified Contribution Plans may be inspected at Council offices

It is the responsibility of the Principal Certifying Authority that the nominated contributions have been paid to Council, Snowy River Development Contributions Plan

*Reason:* In accordance with Section 7.11 of the *Environmental Planning and*

*Assessment Act 1979 and Council's Contributions Plan*

**ADD CONTRUBUTIONS INTO DA FEES THEN DELETE THIS LINE**

**PCC\_06 Long service levy**

In accordance with Section 6.8(1)(b) of the Environmental Planning and Assessment Act 1979, a Construction Certificate must not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment must be provided to Council.

**Part D – Prior To the Commencement of Works**

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**PCW\_01 Prior to the commencement of works**

No construction works approved by this consent are to commence unless the following have been satisfied:

- A. A Construction Certificate has been issued by a certifying authority.
- B. A Principal Certifying Authority has been appointed by the person having benefit of the development consent.
- C. A notice of commencement of building or subdivision works, and details of the appointed Principal Certifying Authority (in the event that Council is not appointed), are issued to Council at least 48 hours prior to the commencement of works.
- D. The Principal Certifying Authority is notified in writing of the name and contractor license number of the owner/builder intending to carry out the approved works.

**PCW\_03 Erection of signage**

A sign must be erected in a prominent position on any site on which any

approved work is to be carried out:

- showing the name, address and telephone number of the certifying authority for the work;
- showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and
- stating that unauthorised entry to the work site is prohibited.

The sign must be maintained while the approved work is being carried out and must be removed when the work has been completed

*Reason: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended.*

**PCW\_05 Erosion and drainage management**

Earthworks and/or demolition of any existing buildings must not commence until an erosion and sediment control plan is submitted to, and to the satisfaction of the Principal Certifying Authority. The plan must comply with the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (The Blue Book).

Erosion and sediment control works must be implemented in accordance with the erosion and sediment control plan.

*Reason: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.*

**PCW\_16 Termite Control**

Prior to the commencement of works, the Applicant will submit to the satisfaction of the PCA (i.e. Council or Private Certifier) documentation confirming the building will be protected from termite attack in accordance with the provisions of Australian Standard AS 3660.1. The submitted documentation will include:

- a) details of the proposed methods to be used; and
- b) certification of works performed;

A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:

- a) the method of protection;
- b) the date of installation;
- c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and.
- d) the need to maintain and inspect the system on a regular basis.

NOTE: Under slab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

**PCW\_19 Enclosure of the Site**

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

**PCW\_20 Prior to the commencement of works**

No construction works approved by this consent are to commence unless the following have been satisfied:

- E. A Section 68 Approval to install a Relocatable Home has been issued by a Council.
- F. A notice of commencement of building are issued to Council at least 48 hours prior to the commencement of works.
- G. The Council is notified in writing of the name and contractor license number of the owner/builder intending to carry out the approved works.

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**Part E – During Construction**

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**DC\_01 Erosion and drainage management**



Erosion and sediment control works must be implemented in accordance with the endorsed erosion and sediment control plan and maintained throughout the construction process.

*Reason: It is in the public interest that the development works do not damage existing Council infrastructure and accordingly a record of existing conditions is required. Section 4.15(e) of the Environmental Planning and Assessment Act 1979.*

**DC\_04 Use of Power Tools - Non-Residential Areas**

The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:

Monday to Friday:	7.00am to 8.00pm
Saturday:	7.00am to 8.00pm
Sunday:	8.00am to 8.00pm
Public Holidays:	8.00am to 8.00pm

*Reason: To ensure building works do not have adverse effects on the amenity of the area.*

**DC\_06 Principal Certifying Authority**

A Principal Certifying Authority appointed to replace another must ensure that notice of the appointment and of the approval of the appointment is given to the consent authority and Council (if not the relevant consent authority) within 48 hours of the appointment.

**DC\_07 Inspections**

All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifying Authority must be carried out during the relevant stage of construction. Work must not proceed beyond each critical stage until the Principal Certifying Authority is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. Council must be given 48 hours' notice to undertake the inspections..

*Reason: It is in the public interest that critical stage inspections be issued for*

*these components of the development in accordance with Section 162A of the Environmental Planning and Assessment Regulations 2000 as amended.*

**DC\_09 Site maintenance**

The principal contractor, owner-builder or any other person having benefit of the development consent must ensure that:

- approved sediment and erosion control measures are installed and maintained during the construction period;
- building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held; and
- the site is clear of waste and debris at the completion of works.

Such measures will be in place throughout the construction process.

**DC\_11 Archaeology**

If any unexpected archaeological finds (relics/foundations associated with early European occupation) or Aboriginal relics are encountered during excavation, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval shall be completed if required to disturb relics, based on the nature of the discovery.

**DC\_16 Cut and fill**

Soil removed from or imported to the site must be managed in accordance with the following principles:

- A. All excavated material removed from the site must be classified in accordance with the Department of Environment, Climate Change and Water NSW's Waste Classification Guidelines prior to disposal to an approved waste management facility and reported to the Principal Certifying Authority.
- B. All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material approved under the Department of Environment and Climate Change's general resource recovery exemption.

**DC\_23 Approved Plans on Site**

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times during construction and will be readily available for perusal by any

officer of the Council or the PCA.

**DC\_25 Excavation**

1. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards.
2. The developer is to ensure that all excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.
3. The developer is to ensure that if an excavation associated with the development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
  - a. preserve and protect the adjoining building from damage, and if necessary, underpin and support the building in an approved manner; and
  - b. at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
4. The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. An allotment of land includes a public road and any other public place.
5. The developer is to ensure that the toe of any embankment to a site excavation is a minimum 900mm from the external walls and graded to drain all surface water away from the building. The ground level adjacent to the building is to be no less than 150mm below the top of the reinforced concrete floor slab.

*Reason: To ensure the development complies with the requirements of Clause 98E of the Environmental Planning and Assessment Regulations 2000, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended*

**DC\_26 Dust Control Measures**

Adequate measures will be taken to prevent dust from affecting the amenity of

the neighbourhood during construction. In particular, the following measures must be adopted:

- a) Physical barriers will be erected at right angles to the prevailing wind direction or will be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- b) Earthworks and scheduling activities will be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed, All materials will be stored or stockpiled at the best locations,
- c) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- d) All vehicles carrying spoil or rubble to or from the site will at all times be covered to prevent the escape of dust or other material,
- e) All equipment wheels will be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- f) Gates will be closed between vehicle movements and will be fitted with shade cloth, and Cleaning of footpaths and roadways will be carried out regularly.

*Reason: to reduce impact on surrounding properties during construction.*

#### **Part F – Prior To the Issue of an Occupation Certificate**

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##### **POC\_03 Easements, restrictions or covenants**

Any easements, restrictions or covenants required by any other condition of consent, must be created and registered prior to the issue of an Occupation Certificate.

##### **POC\_12 Fulfilment of BASIX commitments**

The person having benefit of the development consent must demonstrate the fulfilment of BASIX commitments pertaining to the development prior to the issue of the relevant Occupation Certificate as required under Condition **ADM\_06**.

##### **POC\_20 Separate S68 Approval to Operate On-site Sewage Management System**

Notwithstanding the issue of this development consent, separate approval from council under Section 68 of the Local Government Act 1993 to operate on-site

sewage management system must be obtained prior to release of the Occupancy Certificate. Application for approval under Section 68 to Operate On-site Sewage Management System must be submitted on council's standard application form and be accompanied by the required attachments and prescribed fee.

**POC\_31 Code of Conduct for Guests**

Prior to the occupation and commencement of use the developer is to submit to Council for approval a Code of Conduct for Guests. The document should address (but not be limited to) the following issues:

- a) Advise visitors of access points to the site and general circulation patterns;
- b) Demand reduction strategies for visitor water and energy usage;
- c) Restricted access areas in order to protect neighbouring properties privacy;
- d) Advice on visitor etiquette;
- e) Bushfire prevention strategies; and
- f) Waste management and minimisation.

*Note: This document is to be provided to guests prior to arrival.*

**POC\_32 Eco-tourist Accreditation**

The eco tourist development shall gain T-QUAL Accreditation and Certification through Eco Tourism Australia prior to commencement of operation and shall maintain these (or equivalent accreditations) throughout the life of the development.

**POC\_33 Water Supply to Tourist Facilities / Commercial Operations**

As a facility that will supply drinking water from an independent water supply (not town water) to consumers the operator of the premises will be a private water supplier.

The Private Water Supplier must develop and adhere to a quality assurance management plan (or drinking water management plan) from 1 September 2014 in accordance with the requirements of the Public Health Act 2010 and the Public Health Regulation 2012. Guidance and assistance can be sought from Councils Environmental Health Officers and with reference to:

<http://www0.health.nsw.gov.au/publichealth/environment/water/privatesupplies.asp>

<http://www0.health.nsw.gov.au/resources/publichealth/environment/water/pdf/pwsg.pdf>

A copy of your Drinking Water Management Plan must be provided to Council prior



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to the commencement of use.

The rainwater tanks and rainwater must be used and maintained in accordance with the NSW Health Private Water Supply Guidelines at all times.

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**PART G – PRIOR TO THE ISSUE OF A COMPLETION CERTIFICATE**

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**PCU\_01 Prior to Occupation of the Manufactured Dwelling**

Prior to occupying the Manufactured dwelling, the developer shall arrange for a final inspection by Council and obtain written confirmation of satisfactory completion and installation (Final Completion Certificate).

**PCU\_02 Infrastructure repair**

Prior to the issue of a Completion Certificate, any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired to the satisfaction of Council and at no cost to Council.

**POC\_08 Services**

Any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications required as a result of the development must be at no cost to Council and undertaken prior to the issue of the relevant Completion Certificate.

**POC\_04 Waste management**

All refuse, spoil and/or material unsuitable for use must be removed from the site and lawfully disposed of upon completion of the building works and prior to the issue of the relevant Completion Certificate.

**PCU\_05 Fire safety**

Prior to the issue of the relevant Completion Certificate, Council must be satisfied that a Fire Safety Certificate for all the essential fire or other safety measures forming part of this consent has been completed, and that a copy of the Fire Safety Certificate has been provided to Council.

**PCU\_06 Finished Drainage System**

The developer is to submit two copies of the finished internal storm water drainage system to Council prior to the release of the Completion Certificate. The developer must ensure that the internal stormwater drainage system plans details include: a silt arrestor / surcharge pit within and adjacent to the property boundary, details of the point of discharge and method of connection to Council's storm water drainage system.

Reason: To ensure adequate records are made of systems installed.

**PCU\_07 Road Damage**

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be repaired to the satisfaction of Council and to be met in full by the applicant prior to the issue of an Completion Certificate.

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**PART H – ONGOING USE AND OPERATION**

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**OU\_02 External lighting**

At all times for the life of the approved development, all outdoor lighting must not detrimentally impact upon the amenity of other premises and adjacent dwellings and must comply with, where relevant, AS1158.3-1999 Pedestrian Area Category Pl Lighting, and AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting.

**OU\_05 Waste management**

Provision for the storage of waste and recyclable materials, and the collection of waste and recyclable materials must be provided in line with the approved waste management plan or so that materials generated by the development are contained within the site and disposed of in a lawful manner.

*Reason: To sure the site is kept in a safe and health condition and all materials are contained within the site.*

**OU\_07 Smoke alarms**

Smoke alarms must be maintained in each Class 1 building or dwelling in accordance with the relevant provisions of the BCA – Housing Provisions, and in accordance with AS 3786. Smoke alarms must be connected to the consumer mains electric power supply and provided with a battery back-up.

**OU\_12 Maintenance of BASIX Commitments**

All BASIX commitments must be maintained in accordance with the requirements in Condition **ADM\_06**.

**OU\_17 Roof Water**

The developer shall ensure that all stormwater is directed from the roof to rainwater storage tanks.

**OU\_19 Rainwater Tanks**

1. All fixtures connected to the supply system are marked 'RAINWATER'.
2. Rainwater tanks are de-sludged every three years.
3. For Non-Charged Systems rainwater tanks are to be fitted with a first flush device and filter sock to prevent potential contaminants from entering the tank.
4. For Charged Systems the charged line must have a flush out drain point.
5. Rainwater tanks are fitted with the following:
  - a) Impervious covers and all access points, except for inlet and overflow, are fitted with close fitting lids.
  - b) The inlet and overflow shall incorporate a mesh covering and/or strainer.
6. The tank is enclosed, and inlets screened, to prevent the entry of foreign matter and to prevent mosquito breeding.
7. The roof catchment area is to be kept clear of overhanging vegetation.
8. Pumps are to be covered or screened to avoid noise nuisances to neighbouring properties.
9. All storm water that is not collected by the tank is to be directed away from tank foundations, buildings or other structures onto gardens or into rubble pits or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.

Tank overflow is to be connected to a retention/infiltration device, swale, appropriate landscaping or directly to the road drainage system such that it does not cause nuisance to neighbouring properties.

**OU\_28 External Finishes**

The materials and colours of external features of any building, driveways, walkways or large paved areas shall be in colours that blend with the surrounding natural materials (e.g. olive or mist green, light or slate grey, light browns) and shall be non-reflective.

The approved colours of the exterior of the building are:

Roof: Woodland Grey

Walls/Cladding: Woodland Grey

Note: This condition can be amended with the written consent of Council.

The colours and materials for the development are those shown on the approved schedule.

**OU\_33 Occupancy Rates – Short Term Accommodation**

The bedrooms in each in the building are to be occupied by a number of persons not exceeding the number listed in the following schedule:

Cabin 1 = 2 Persons

Cabin 2 = 2 Persons

Cabin 3 = 2 Persons

The proposed development is not used to accommodate more than a total of six (6) persons for short term accommodation.

**OU\_36 Advertising Signage**

No external advertising or business signage is approved by this consent. Any future signage will be the subject of a separate development application, where statutorily required

**OU\_50 Code of Conduct for Guests**

Prior to the occupation and commencement of use the developer is to submit to Council for approval a Code of Conduct for Guests. The document should address (but not be limited to) the following issues:

- g) Advise visitors of access points to the site and general circulation patterns;
- h) Demand reduction strategies for visitor water and energy usage;
- i) Restricted access areas in order to protect neighbouring properties privacy;
- j) Advice on visitor etiquette;
- k) Bushfire prevention strategies; and
- l) Waste management and minimisation.

*Note: This document is to be provided to guests prior to arrival.*

**OU\_51 Fencing**

The developer shall ensure that the development site (Lot 9 DP 861805) is fully fenced and signage is erected to inform guests of the boundary of the property and that they must stay within the property boundaries when using the

accommodation. This fencing shall be constructed at the full cost of the developer irrespective of the requirements of the Dividing Fences Act.

**OU\_52 Business Operation and Use of Eco Tourist Facility**

- a) At all times the building is being used only for the purpose of an eco-tourism cabin as defined in the Snowy River Shire Local Environmental Plan.
- b) The eco tourist facility shall be available for patrons on a year-round basis and shall not be used solely by the owners of the cabin as a holiday home.
- c) The manager of the eco tourist facility must provide to guests a copy of the Code of Conduct prior to their arrival on site and a copy shall be provided within each cabin.
- d) A notice must be provided in the cabin asking the guests and visitors to respect the rural nature of the surrounding area and the amenity and privacy of neighbours.
- e) The eco tourist facility is to be used solely for the provision of temporary holiday accommodation for guests, for a period of no more than three (3) consecutive months.
- f) The development shall be managed by a suitably qualified on-site property manager. The on-site property manager shall be available to respond to complaints from neighbours and manage the conduct of the tourists occupying the cabin.
- g) The operator is to ensure that any deliveries that related to the development are to occur only during normal working hours (8am–5pm Monday to Saturday) and no deliveries to occur on Sunday or public holidays.
- h) The eco tourist cabin is not to be occupied by a number of persons exceeding two (2).

**OU\_53 Driveways within the Development**

- The developer is to ensure that the driveways within the development are constructed and maintained in accordance with the requirements of the Department of Land and Water Conservation pamphlet “Guidelines for the Planning, Construction and Maintenance of Trails”.
- The developer is to ensure that in conjunction with the “Guidelines for the Planning, Construction and Maintenance of Trails” the internal driveways are constructed in accordance with the following standards:
  - (a) The road must be 4 metres wide;



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- (b) Cross slope of the road must be no greater than 1:14 or 7% (i.e. a 28cm drop over 4 metres); and
- (c) Road gradients must not exceed 16.7% (1:6) for gravel construction and 20% (1:5) for sealed surfaces.

**OU\_54 Water Supply**

The developer shall ensure that each Eco tourist facility is serviced solely by the provision of rain water. Each cabin is serviced by a minimum 3,000 litre water tank.

**OU\_55 Eco-tourist Accreditation**

The eco tourist development shall gain T-QUAL Accreditation and Certification through Eco Tourism within twelve (12) months of commencement of operation and shall maintain these (or equivalent accreditations) throughout the life of the development.

## Statement<sup>1</sup> of Environmental Effects

## The Proposal

This report has been prepared to inform the development potential and seek approval for a staged eco tourist development at 2 Charlottes Lane Jindabyne, NSW, legally known as Lot 9 DP861805. It examines the site and the constraints affecting the site and the applicable planning controls, which may affect the site's re-development.

The application is for 4 Eco Cabins that are sensitively converted shipping containers. The staging of the development is proposed as follows:  
Stage 1 - 3 Eco Cabins and associated on site sewerage disposal system (OSSM)  
Stage 2 - 1 disabled access cabin (closest to existing dwelling)

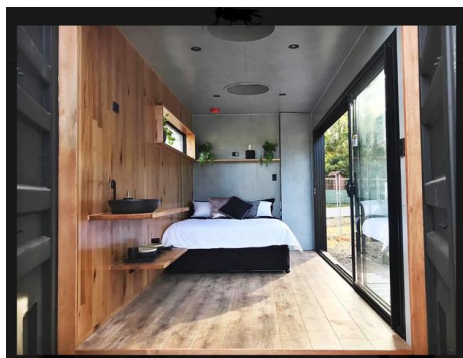
The company 'Black Fly Containers' specialize in the sustainable conversion of shipping containers to small bespoke cottages. Existing on the site is a dwelling and associated shed. The property owners have a vision of sharing their property with guests offering unique accommodation with incredible views towards the Snowy Mountains of NSW (Kosciusko National Park) and in a location that offers the best of nature and culture within close proximity.

The land is Zoned RU1 – Primary Production under the Snowy River Local Environmental Plan 2013 (SRLEP) and Eco Tourist facilities are a permissible land use within the zone (this is explored under Legislation in this report).

Overall the proposal is deemed to be of positive influence from an environmental, social and economic perspective.

In preparing this advice, I have considered the following key documents:

- Snowy River Local Environmental Plan 2013;
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Snowy River Development Control Plan 2013
- NSW Planning Portal



Statement of Environmental Effects- 2 Charlottes Lane, Jindabyne Eco Tourist Cabins

Figure 1: example of standard cabin

### Zoning and Permissions

The subject site is located within the Local Government Area (LGA) of Snowy Monaro Regional Council and is subject to the provisions within the Snowy River Local Environmental Plan 2013.

The site is zoned RU1 Primary Production under the Snowy River Local Environmental Plan 2013.

#### **RU1 Primary Production – Objectives of Zone:**

- *To encourage sustainable primary industry production by maintain and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote tourism, educational and recreational development and living opportunities that are compatible with agricultural activities and the environmental, historical and cultural values of the land.*

#### **2. Permitted without consent**

*Environmental protection works; Extensive agriculture; Home occupations*

#### **3. Permitted with consent**

*Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; **Eco-tourist facilities**; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Garden centres; Helipads; Home-based child care; Home businesses; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Timber yards; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures; Wharf or boating facilities*

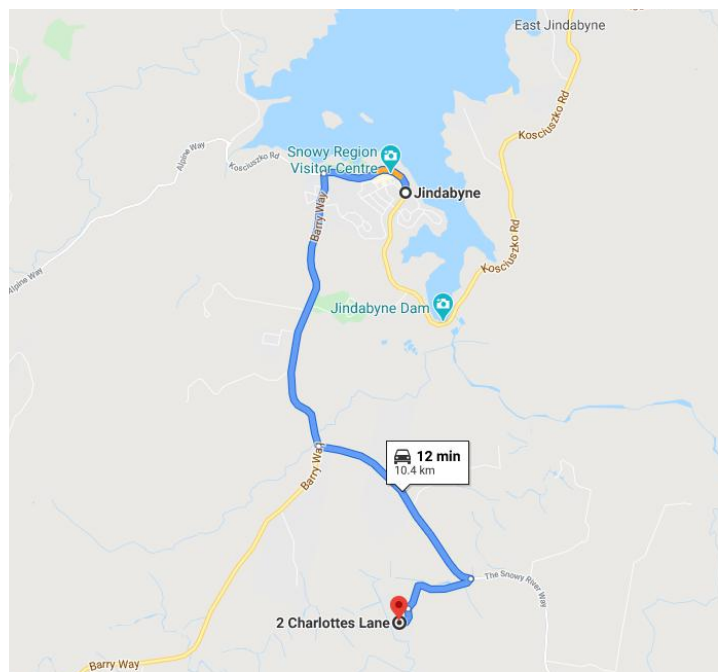
#### **4. Prohibited**

*Any development not specified in item 2 or 3*

*Figure 2: The site zoned RU1 Primary Production*

### The Site

The site is identified as Lot 9 DP861805, 2 Charlottes Lane, Jindabyne. The site has an area of approximately 4.099ha. The site adjoins Steels Creek with access off Charlottes Lane. Charlottes Lane is a small Lane off Carinya Lane that is located on the southern outskirts of Jindabyne off the Snowy River Way (10.4km to Jindabyne).



*Figure 3: Google map indicating location of site in terms of Jindabyne township*





*Figure 4: Proposed location of 4 Eco cabins*

The surrounding area is characterised by predominantly rural development and farming land. The site currently has an existing shed, dwelling and septic system.

A restriction exists on the site to maintain the environmental integrity of the site. The cabins and all ancillary development are located outside of this zone. The site is not identified as bush fire prone land.



*Figure 5: Image of area of restriction, characterized by large rocky outcrops and gum trees*

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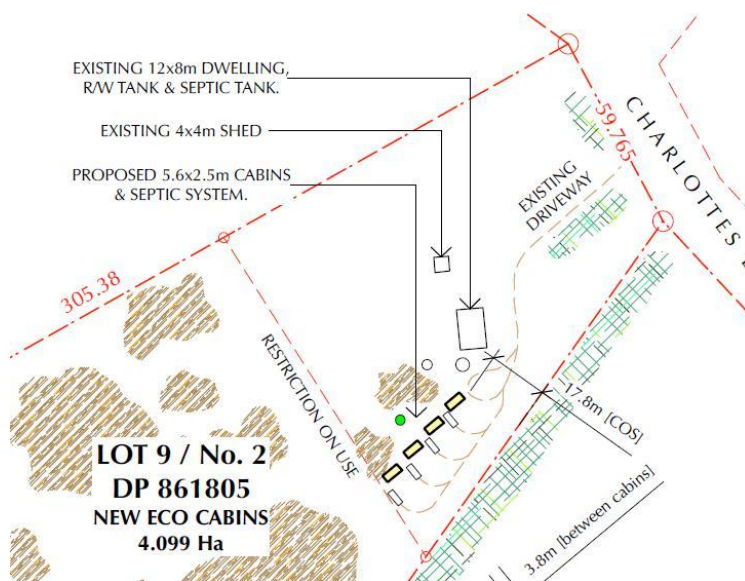


Figure 6: Land to be utilized , cabins not located within restriction zone



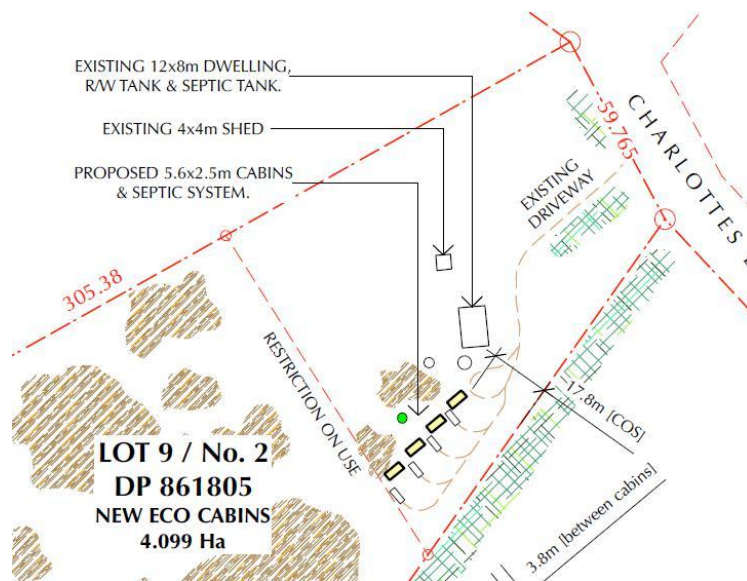
Figure 7: Potential Terrestrial Biodiversity- NSW Planning Portal

As indicated on the NSW Planning Portal there are scattered patches of Terrestrial Biodiversity on the site. The location of the cabins does not include any native vegetation that would be required to be removed for the purpose of the development.

The proposed location of the eco cabins will not have any impact on the potential biodiverse zone.

## Development Staging

The development is proposed to be staged to ensure that the development progresses in accordance with legislative requirements. Staging of the development is identified in the site plan below where Stage 2 (cabin No. 4) cabin located closest to the dwelling is to provide disabled access (Plans of disabled cabin to be provided with Development Application).



Stage 1 – 3 Cabins

Stage 2 – Disabled access cabin

## Site Coverage/Floor Space Ratio

Complies

## Building Form

The converted shipping container cabins are 2.9m in height with the roof line remaining flat.

The cabins are proposed to be located behind the existing dwelling when viewed from Charlottes Lane (that is a no through road) therefore they will not be visually prominent feature within the locality.



The cabins are to be constructed on footings and therefore a small amount of earthworks will be required.

### Streetscape, Setbacks and Character

The proposed cabins are to be located down slope from the road located behind the existing dwelling therefore not visually prominent from the street. All setbacks comply.



Figure 8: Image taken from entry to property on Charlottes Lane, cabins to be located behind dwelling

The cabins will not have any negative impacts to the streetscape or locality in general. A large established row of conifers line the boundary of the adjoining property which will ensure the privacy of the adjoining property owners and visitors to the cabins will be maintained.

The rural character of the area will not be negatively impacted by the cabins. The cabins have been purposefully located so as to not be clearly visible within the rural landscape and sensitively designed to minimize any environmental impact.

The cabins are proposed to be setback a minimum of 17.8m from the side boundary.

The proposed colour 'Monument' will ensure the cabins will blend into the landscape not being a visually prominent feature.



Figure 9: Conifer trees lining property boundary to the east

### Fencing

Fencing exists surrounding the site and will remain unchanged under this proposal.

### Building Height

The development has been designed to fit within the criteria listed in the Snowy River Residential Development Control Plan 2013 and meet all criteria set out in the guidelines.

The maximum height of the proposed development does not exceed 9m.

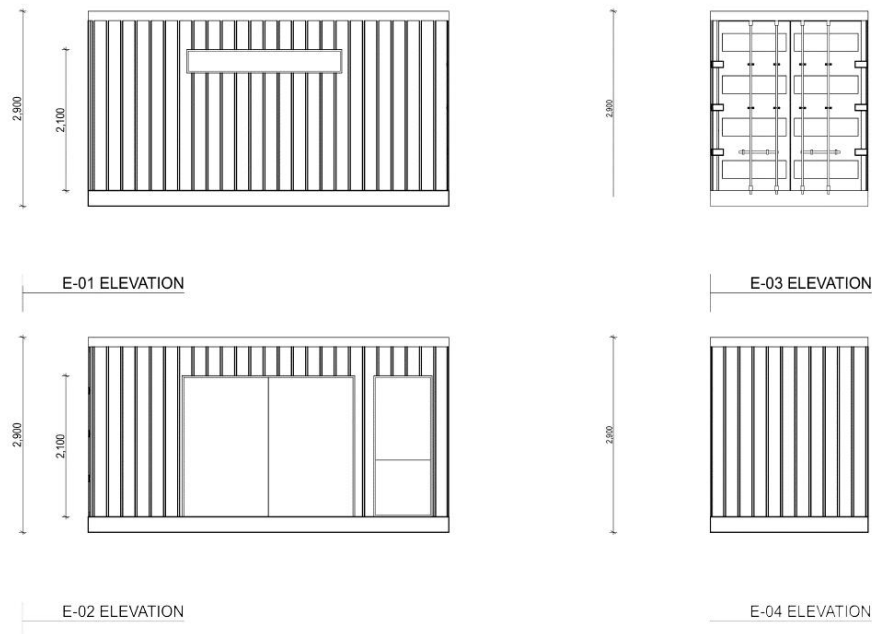
### Colours

The proposed colour of the cabins is Colorbond 'Monument' that will aid in ensuring that the cabins blend in with the natural environment.

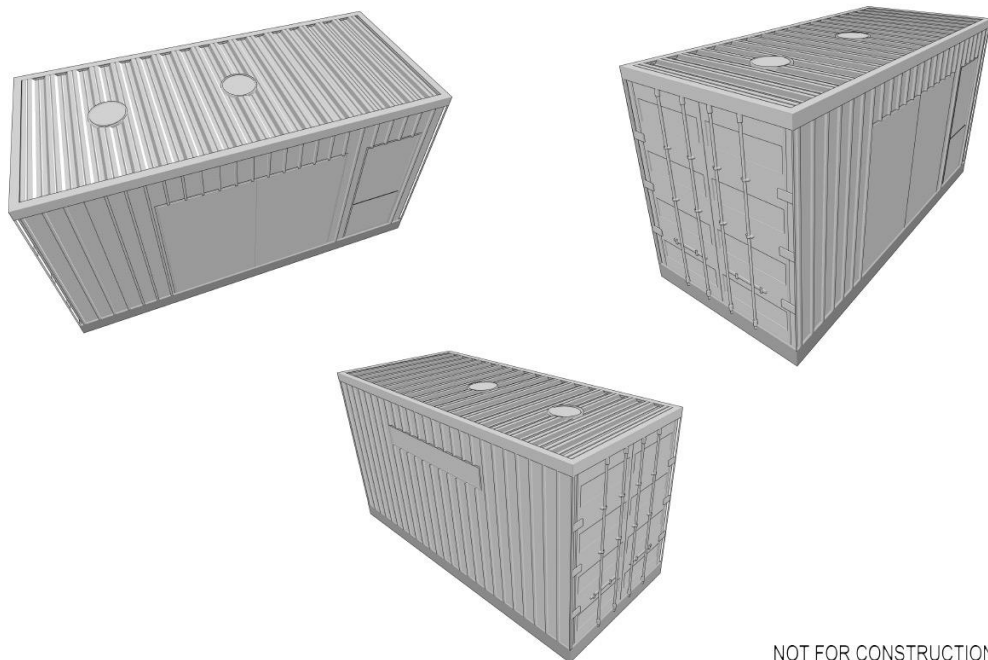


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## Proposed Elevations



## Perspectives



### Views, Visual and Acoustic Privacy

The proposed development will not impact on adjoining, visual and acoustic privacy. The image below is the view west towards the mountains of the Kosciusko National Park and surrounding rural properties in the foreground. The location of the cabins will not create any negative impacts to views or visual and acoustic privacy.



*Figure 10: Views to the west towards Kosciusko National Park*



*Figure 11: View towards Kosciusko National Park and closest adjoining neighbour to the west*

### **Car Parking**

A Carparking space has been provided to each of the cabins. There is more than adequate room for parking and internal driveways on the site.

### **Landscaping Design**

More than adequate provision for landscaping on the site.

### **Water and Sewer**

The application will seek approval for the installation of an On-site Sewerage Management System (OSSM) as approved under S68 application with Snowy Monaro Regional Council.

Water will be provided to the cabin in the form of a rainwater tank.

### **Security, Site Facilities and Services**

The proposed development offers a safe and secure location for tourist accommodation.

### **Tree Removal**

No tree removal is required for the development proposal.

### **Heritage**

AHIMS search conducted on the 18/03/2020 did not identify any items of significance on the subject site.

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Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 9, DP:DP861805 with a Buffer of 50 meters, conducted by Mcleod Naomie on 18 March 2020.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *



### Site Photos



*Figure 12: Access to the site off Charlottes Lane. The site is secured by a lockable gate.*



*Figure 13: View from cabin site towards Kosciusko National Park*





*Figure 14: Proposed location of cabins (looking south)*



*Figure 15: Foreground is proposed Location of cabins in relation to the main dwelling (looking north)*

## Legislative Requirements

### Tourist Accommodation – Eco Tourist Cabins

Eco Tourist facilities provide for a combination of tourism, education and hands on activities relating to the natural or cultural environment. An eco tourist facility is defined in the Snowy River LEP 2013 as:

**Eco tourist facility** means a building or place that:

- a) Provides temporary or short term accommodation to visitors on a commercial basis; and
- b) Is located in or adjacent to an area with special ecological or cultural features; and
- c) Is sensitively designed and located so as to minimize bulk, scale and overall physical footprint and any ecological or visual impact.

*It may include facilities that are used to provide information or education to visitors and to exhibit or display items.*

### Snowy River Development Control Plan 2013 – 4 Eco Tourist Facility

<p>DESIGN OF ECOTOURIST FACILITY</p> <p>Minimise site disturbance through integrative design which reflects rather than alters the natural existing landscape.</p> <ul style="list-style-type: none"> <li>- Use of materials that blend with the surrounding environment</li> <li>- Maximise energy efficiency</li> <li>- Designed on the basis of ecological sustainability and an understanding of potential environmental impacts</li> <li>- Buildings and infrastructure to not dominate the visual landscape.</li> </ul> <p>OPERATION OF ECO TOURIST FACILITY</p> <ul style="list-style-type: none"> <li>- An eco tourist facility that accommodated over 15 guests must be centrally managed by on site management</li> </ul>	<p>The proposed cabins are proposed to be a dark shade that will blend in with the natural environment.</p> <p>The cabins are proposed to be connected to a septic tank system for effluent disposal.</p> <p>The cabins have been designed to not create a large degree of ground disturbance being positioned on concrete piers, minimizing environmental impacts.</p> <p>The cabins are to be located in an area behind existing rocky outcrops and will not be visibly prominent within the landscape.</p> <p>The facility will accommodate a maximum of 8 people and the existing dwelling will be used as the managers residence.</p> <p>Only one managers residence will be provided.</p>
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<ul style="list-style-type: none"> <li>- Where a managers residence is provided as part of an eco tourist facility, an existing or proposed dwelling is to operate as the managers residence.</li> <li>- Only one managers residence is permitted</li> <li>- The facility must operate on a year round basis</li> <li>- Accommodation must be used solely for the provision of temporary holiday accommodation (no more than 3 consecutive months)</li> </ul>	<p>The facility shall be conditioned by Council to operate on a year round basis.</p> <p>The accommodation shall be conditioned by Council on the approved consent to be accommodated to a maximum of 3 consecutive months.</p>
<p><b>NATURE OF ECO TOURIST FACILITY</b></p> <ul style="list-style-type: none"> <li>- The development may contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area.</li> <li>- The development will provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.</li> </ul>	<p>Given the unique location of the site within such close proximity to the Kosciusko National Park there is opportunity for visitors to the site to experience nature and cultural history of the Park. Additionally, with the winter snow falls the nearby ski resorts also offer guests a natural, cultural and sporting experience.</p> <p>Lake Jindabyne located nearby is part of Australian history where the works of the famous Snowy Hydro Scheme can be witnessed.</p> <p>In general the area has an abundance of educational elements in nearby surrounding locations that will offer clients many options and opportunities to experience nature and culture.</p>
<p><b>CAR PARKING</b></p> <p>Eco Tourist facilities will:</p> <ul style="list-style-type: none"> <li>- Provide adequate on-site car parking and manoeuvring space to cater for the peak use of the facility</li> <li>- Require a traffic assessment prepared by a suitably qualified traffic engineer as required</li> </ul>	<p>There is adequate provision for car parking on the site with a dedicated car space provided for each cabin.</p> <p>A traffic assessment is not deemed to be necessary for the proposed development. Access to the site is suitable.</p>
<p><b>EDUCATION &amp; AWARENESS</b></p> <p>To incorporate and promote visitor education and environmental awareness as integral components of eco-tourist development.</p>	<p>Given the unique location of the site within such close proximity to the Kosciusko National Park there is opportunity for visitors to the site to experience nature and cultural history of the Park. Additionally, with the winter snow falls the nearby ski resorts also offer guests a natural, cultural and sporting experience.</p>

<ul style="list-style-type: none"> <li>- Contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area.</li> <li>- Provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.</li> <li>- Recognise the importance of key natural features to the visitor experience, and where these are off site (eg. National Parks) recognise and address the potential indirect impacts associated with a development.</li> </ul>	<p>Lake Jindabyne located nearby is part of Australian history where the works of the famous Snowy Hydro Scheme can be witnessed.</p> <p>In general the area has an abundance of educational elements in nearby surrounding locations that will offer clients many options and opportunities to experience nature and culture.</p>
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## Snowy River Local Environmental Plan 2013

### **Part 5** Clause 5.13 *Eco-tourist facilities*

*(1) The objectives of this clause are as follows—*

***(a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,***

*- The proposal will not have any negative impacts upon the environment or cultural values of the land*

***(b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.***

*- The use of shipping containers as a building provides a sustainable use of building materials and design sensitivity*

***(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.***

*- Eco Tourist facilities are a permitted land use under the Snowy River Local Environmental Plan 2013*

***(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that—***

<i>(a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and</i>	The proposed site is an area of unique beauty that is characteristic of the high country of NSW. From the cabins, guests will be able to form a visual connection with the Snowy Mountains of Kosciusko National Park. The site itself offers unique features such as alpine gum trees and rocky boulder outcrops that are well known environmental features of the area. The close proximity to both Kosciusko National Park and ski resorts of Perisher and Thredbo as well as the rich history of Lake Jindabyne will ensure guests have opportunities to experience the environmental features and cultural values of the area.
<i>(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and</i>	The design of the cabins ensures that the minimum extent necessary of ground disturbance is required. The cabins shall be positioned on steel piers. No cut and fill is required as part of the application.
<i>(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and</i>	The stunning vistas available from the cabins will ensure that guests appreciation of the environment will be enhanced. Along with the views, the close proximity to such places as National Parks, Lake Jindabyne, Ski resorts, biking and hiking trails etc. will accommodate an appreciation of the environmental and cultural values of the locality.
<i>(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and</i>	There will not be any negative environmental consequences due to the proposed development
<i>(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and</i>	There is a 'restriction to user' on the use of the land that ensures no development occurs within the restricted area. The cabins are located outside of the restricted area to protect natural resources and the natural environment
<i>(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and</i>	Waste generation will be minimal as the cabin arrive onsite constructed
<i>(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that</i>	The development is not located on a ridgeline, and will not be visible from any watercourses. The visual impact of the cabins has been



<i>any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and</i>	minimized due to the size and colour of the cabins. The cabin backdrop is a row of dark established conifer trees that will also aid in minimising any visual impact the cabins may have when viewed from surrounding properties.
<i>(h) any infrastructure services to the site will be provided without significant modification to the environment, and</i>	Existing power and water supply will be utilized. An additional on-site sewerage management system is required for the development. This will require a S68 approval from Council.
<i>(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and</i>	Environmentally friendly: Modular builds are more energy-efficient, create less waste and increase the use of sustainable materials. There is also a reduction in the carbon footprint of the build as fewer people are traveling to and from the site.  Due to the small size of the cabins they are able to be heated and cooled much easier than larger buildings. Cross flow windows allow for passive cooling.
<i>(j) the development will not adversely affect the agricultural productivity of adjoining land, and</i>	The proposal will not have any negative impact on the agricultural productivity (if any) on the site.
<i>(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment— (i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.</i>	<ul style="list-style-type: none"> <li>- The development will not create any irreversible environmental damage</li> <li>- The development will not damage any natural habitats</li> <li>- The proposal incorporates the use of existing rainwater tank for water supply, an OSSM for effluent, natural lighting is provided within the containers by skylights.</li> <li>- Once the cabins area in place, the natural environment will no longer be disturbed</li> <li>- Compliance with ISO 14000 and conditions imposed upon development approval issued by Council.</li> </ul>

## Other Matters for Consideration

Criteria	Comment
Scenic Values	The proposed eco cabins will not create negative visual Impact on the surrounding area
Geotechnical	No geotechnical report is required.
Mine Subsidence	The proposal is not within a mines subsidence area.
Contaminated Land	The site is not known to be contaminated and given the proposal will not involve any significant earth works, it is unlikely that the proposal will disturb any potentially contaminated soil.
Acid Sulfate Soils	Not affected
Natural Waterways	The proposal will not interfere or contaminate any natural waterways and will rely on the existing stormwater management measures in place within the site.
Bushfire	The site is not bushfire prone as shown on NSW Planning Portal mapping.
Flora and Fauna	There will not be any negative impacts to any native populations and communities. No trees are required to be removed for the development.
Preservation of Trees and Vegetation	Tree removal as required for the development and bushfire protection measures.
Heritage	The site is not identified as having any European heritage significance. AHIMS search did not identify any indigenous items of significance within the area or on the site.
Social Impact	The development will only positive impacts from a social and economic perspective. With accommodation shortages being experienced within the long term rental and holiday accommodation markets in Jindabyne and surrounding area, the proposed development is deemed positive socially and economically.
Economic Impact	
Street Setback	The proposed street setbacks comply with the DCP and compliment the adjoining development.
Building Bulk	The proposed development will not be visibly prominent from Charlottes Lane nor will it have a bulky appearance when viewed from surrounding properties..
Energy Efficiency	BASIX is not required under the legislation. The design of the cabins ensures that minimum amounts of heating and cooling are required. Water is supplied by rain water from the existing water tank on the site.
Landscape Design	There is more than adequate provision for landscaping on the site
Fencing	No changes to the existing fencing
Traffic and Transport	Access is legal and practical and suitable for the use of an eco-tourist facility
Design of Parking and Service Areas	A car park has been provided for each cabin. Accessible cabin requirement will comply with current Standards
Cut and Fill	Cut and fill is not required. The cabins will be on steel piers therefore only <u>footing holes required</u>
Demolition and Construction Waste Management	Minimal waste only. Any waste will be disposed of at Council refuse centre

Waste Management	N/A
Erosion Prevention and sediment control	To be conditioned upon consent.
Air Quality	The proposal will not impact on the air quality within the area.
Noise and Vibration	The ongoing use of the site is unlikely to create noise or vibration that would have a negative impact on the amenity of the surrounding properties

## Conclusion

### Suitability of the site for development

The proposal complies with the relevant environmental planning instruments and the Development Control Plan. The Statement of Environmental Effects confirms that the site is suitable and capable of sustaining the proposed development, with no adverse impacts.

#### Submissions Made in Accordance with the Act or regulations:

The development application may require notification to adjoining landowners by Council.

Given the proposals minimal environmental it is unlikely to raise significant objection.

#### The Public Interest

The proposal is in the public interest as:

- It provides a sustainable land use.
- It is positive in terms of social, environmental and economic factors

# BASIX<sup>®</sup>Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Multi Dwelling

Certificate number: 1083187M\_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Wednesday, 23 September 2020

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,  
Industry &  
Environment

### Project summary

Project name	Charlottes 9 2627_02
Street address	2 Charlottes Lane Jindabyne 2627
Local Government Area	Snowy Monaro Regional Council
Plan type and plan number	deposited 861805
Lot no.	9
Section no.	-
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	4
No. of single dwelling houses	0

### Project score

Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 40	Target 40

### Certificate Prepared by

Name / Company Name: Energyraters

ABN (if applicable): 61143274891

## Description of project

### Project address

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### Project type

No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	4
No. of single dwelling houses	0

### Site details

Site area (m²)	40990
Roof area (m²)	48.8
Non-residential floor area (m²)	0.0
Residential car spaces	4
Non-residential car spaces	0

### Common area landscape

Common area lawn (m²)	0.0
Common area garden (m²)	0.0
Area of indigenous or low water use species (m²)	0.0

### Assessor details

Assessor number	DMN/15/1694
Certificate number	0005228730
Climate zone	69

### Project score

Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 40	Target 40



## Description of project

The tables below describe the dwellings and common areas within the project

### Multi-dwelling houses

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
1	1	11.8	0.0	20.0	20.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
2	1	11.8	0.0	20.0	20.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
3	1	11.8	0.0	20.0	20.0

Dwelling no.	No. of bedrooms	Conditioned floor area (m <sup>2</sup> )	Unconditioned floor area (m <sup>2</sup> )	Area of garden & lawn (m <sup>2</sup> )	Indigenous species (min area m <sup>2</sup> )
4	1	11.8	0.0	20.0	20.0

**No common areas specified.**

## Schedule of BASIX commitments

### 1. Commitments for multi-dwelling houses

#### (a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort

### 2. Commitments for single dwelling houses

### 3. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

## Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

### 1. Commitments for multi-dwelling houses

#### (a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 6 but <= 7.5 L/min)	4 star	5 star	5 star	no	-	-	-	-	-	-	-	-	-

Alternative water source								
Dwelling no.	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓



(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	
(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.	✓	✓	✓

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	natural ventilation only, or no laundry	-

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	1-phase airconditioning EER 2.5 - 3.0	-	1-phase airconditioning EER 2.5 - 3.0	-	1	0	yes	yes	no	no	1	yes

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	gas cooktop & electric oven	-	yes	-	-	-	no	no

Alternative energy	
Dwelling no.	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must:  (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

	Thermal loads	
Dwelling no.	Area adjusted heating load (in mJ/m <sup>2</sup> /yr)	Area adjusted cooling load (in mJ/m <sup>2</sup> /yr)
1	314.6	66.7
All other dwellings	405.1	81.8

	Construction of floors and walls				
Dwelling no.	Concrete slab on ground(m <sup>2</sup> )	Suspended floor with open subfloor (m <sup>2</sup> )	Suspended floor with enclosed subfloor (m <sup>2</sup> )	Suspended floor above garage (m <sup>2</sup> )	Primarily rammed earth or mudbrick walls
All dwellings	-	12	-	-	No

### 3. Commitments for common areas and central systems/facilities for the development (non-building specific)

#### (b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	no common facility	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

## Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

## Legend

1. Commitments identified with a "✓" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✓" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✓" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).



## Nationwide House Energy Rating Scheme NatHERS Certificate No. 0004993499-01

Generated on 23 Sep 2020 using BERS Pro v4.4.0.1 (3.21)

### Property

**Address** Unit 1, 2 Charlottes Lane , Jindabyne ,  
NSW , 2627  
**Lot/DP** 9/-  
**NCC Class\*** 1A  
**Type** New Dwelling

### Plans

**Main Plan** 304  
**Prepared by** -

### Construction and environment

<b>Assessed floor area (m<sup>2</sup>)*</b>	<b>Exposure Type</b>
Conditioned* 14.0	Suburban
Unconditioned* 0.0	<b>NatHERS climate zone</b>
Total 14.0	69
Garage 0.0	



### Accredited assessor

**Name** darren parker  
**Business name** energyraters.com.au  
**Email** admin@energyraters.com.au  
**Phone** 02 60 24 10 22  
**Accreditation No.** DMN/15/1694  
**Assessor Accrediting Organisation**  
Design Matters National  
**Declaration of interest** None

### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.



### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>314.6</b>	<b>66.7</b>
<b>MJ/m<sup>2</sup></b>	<b>MJ/m<sup>2</sup></b>

### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

### Verification

To verify this certificate, scan the QR code or visit [hstar.com.au/QR/Generate?p=gBQTIEEOv](http://hstar.com.au/QR/Generate?p=gBQTIEEOv).

When using either link, ensure you are visiting [hstar.com.au](http://hstar.com.au)



\* Refer to glossary.

0004993499-01 NatHERS Certificate

5.1 Star Rating as of 23 Sep 2020



## Certificate check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

### Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page? Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

### Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

### Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

### Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

### Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

### Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional notes

Job# 39353

## Window and glazed door type and performance

### Default\* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
ALM-004-01 A	ALM-004-01 A Aluminium B DG Air Fill Clear-Clear	4.8	0.59	0.56	0.62

### Custom\* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Window and glazed door schedule

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Kitchen	ALM-004-01 A	n/a	1500	700	n/a	45	W	No
Bedroom	ALM-004-01 A	n/a	350	2300	n/a	45	E	No
Bedroom	ALM-004-01 A	n/a	2100	2500	n/a	45	W	No

\* Refer to glossary.  
Generated on 23 Sep 2020 using BEERS Pro v4.4.0.1 (3.21) for Unit 1, 2 Charlottes Lane, Jindabyne, NSW, 2627

0004993499-01 NatHERS Certificate

5.1 Star Rating as of 23 Sep 2020



Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
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## Roof window type and performance

Default\* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Height (mm)	Width (mm)	Orientation	Outdoor shade	Indoor shade
No Data Available								

## Skylight type and performance

Skylight ID	Skylight description
GEN-04-010a	Tubular single-glazed clear, Timber and Aluminium Frame

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
Kitchen	GEN-04-010a	n/a	250	0.30	N	None	No	0.50
Bedroom	GEN-04-010a	n/a	250	0.30	N	None	No	0.50

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
Bath	2550	2300	90	N

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
EW-1	Metal Clad Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2.5	Yes
EW-2	Metal Clad Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2.5	Yes

\* Refer to glossary.  
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### External wall *schedule*

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
Kitchen	EW-1	2550	1390	E	25	NO
Kitchen	EW-2	2550	1390	W	1700	NO
Bedroom	EW-1	2550	3595	E	75	NO
Bedroom	EW-1	2550	2300	S	0	NO
Bedroom	EW-1	2550	3595	W	1700	NO
Bath	EW-2	2550	1395	E	0	NO
Bath	EW-1	2550	1395	W	1700	NO
Bath	EW-1	2550	2300	N	0	NO

### Internal wall *type*

Wall ID	Wall type	Area (m <sup>2</sup> )	Bulk insulation
IW-1 - Cavity wall, direct fix plasterboard, single gap		12.00	No insulation

### Floor *type*

Location	Construction	Area (m <sup>2</sup> )	Sub-floor ventilation	Added insulation (R-value)	Covering
Kitchen	Suspended Timber Floor 19mm	3.00	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm
Bedroom	Suspended Timber Floor 19mm	8.20	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm
Bath	Suspended Timber Floor 19mm	3.10	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm

### Ceiling *type*

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Kitchen	Plasterboard	Bulk Insulation R3.5	No
Bedroom	Plasterboard	Bulk Insulation R3.5	No
Bath	Plasterboard	Bulk Insulation R3.5	No

### Ceiling *penetrations\**

Location	Quantity	Type	Diameter (mm <sup>2</sup> )	Sealed/unsealed
Kitchen	2	Downlights - LED	150	Sealed
Kitchen	1	Exhaust Fans	150	Sealed
Bedroom	2	Downlights - LED	150	Sealed
Bath	1	Downlights - LED	150	Sealed
Bath	1	Exhaust Fans	250	Sealed

\* Refer to glossary.  
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0004993499-01 NatHERS Certificate

5.1 Star Rating as of 23 Sep 2020



## Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

## Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Corrugated Iron	No Insulation, Only an Air Gap	0.50	Medium

0004993499-01 NatHERS Certificate

5.1 Star Rating as of 23 Sep 2020



## Explanatory notes

### About this report

A NatHERS rating is a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate an energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances or energy production of solar panels.

Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

### Accredited assessors

To ensure the NatHERS Certificate is of a high quality, always use an accredited or licenced assessor. NatHERS accredited assessors are members of a professional body called an Assessor Accrediting Organisation (AAO).

Australian Capital Territory (ACT) licensed assessors may only produce assessments for regulatory purposes using software for which they have a licence endorsement. Licence endorsements can be confirmed on the ACT licensing register

AAOs have specific quality assurance processes in place, and continuing professional development requirements, to maintain a high and consistent standard of assessments across the country. Non-accredited assessors do not have this level of quality assurance or any ongoing training requirements.

Any questions or concerns about this report should be directed to the assessor in the first instance. If the assessor is unable to address these questions or concerns, the AAO specified on the front of this certificate should be contacted.

### Disclaimer

The format of the NatHERS Certificate was developed by the NatHERS Administrator. However the content of each individual certificate is entered and created by the assessor to create a NatHERS Certificate. It is the responsibility of the assessor who prepared this certificate to use NatHERS accredited software correctly and follow the NatHERS Technical Notes to produce a NatHERS Certificate.

The predicted annual energy load in this NatHERS Certificate is an estimate based on an assessment of the building by the assessor. It is not a prediction of actual energy use, but may be used to compare how other buildings are likely to perform when used in a similar way.

Information presented in this report relies on a range of standard assumptions (both embedded in NatHERS accredited software and made by the assessor who prepared this report), including assumptions about occupancy, indoor air temperature and local climate.

Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

## Glossary

<b>Annual energy load</b>	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
<b>Assessed floor area</b>	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
<b>Ceiling penetrations</b>	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
<b>Conditioned</b>	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
<b>Custom windows</b>	windows listed in NatHERS software that are available on the market in Australia and have a WERS (Window Energy Rating Scheme) rating.
<b>Default windows</b>	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
<b>Entrance door</b>	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
<b>Exposure category – exposed</b>	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
<b>Exposure category – open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category – suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category – protected</b>	terrain with numerous, closely spaced obstructions over 10m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.
<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap (also known as foil)</b>	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight (also known as roof lights)</b>	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).



## Nationwide House Energy Rating Scheme NatHERS Certificate No. 0004993507-01

Generated on 23 Sep 2020 using BERS Pro v4.4.0.1 (3.21)

### Property

**Address** Unit 2, 2 Charlottes Lane , Jindabyne ,  
NSW , 2627  
**Lot/DP** 9/-  
**NCC Class\*** 1A  
**Type** New Dwelling

### Plans

**Main Plan** 304  
**Prepared by** -

### Construction and environment

<b>Assessed floor area (m<sup>2</sup>)*</b>	<b>Exposure Type</b>
Conditioned* 12.0	Suburban
Unconditioned* 0.0	<b>NatHERS climate zone</b>
Total 12.0	69
Garage 0.0	



### Accredited assessor

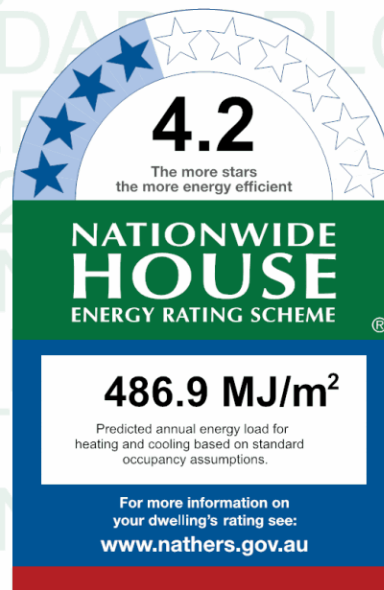
**Name** darren parker  
**Business name** energyraters.com.au  
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**Phone** 02 60 24 10 22  
**Accreditation No.** DMN/15/1694  
**Assessor Accrediting Organisation**  
Design Matters National  
**Declaration of interest** None

### National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.



### Thermal performance

<b>Heating</b>	<b>Cooling</b>
405.1 MJ/m <sup>2</sup>	81.8 MJ/m <sup>2</sup>

### About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

### Verification

To verify this certificate, scan the QR code or visit [hstar.com.au/QR/Generate?p=EgZLUyNan](http://hstar.com.au/QR/Generate?p=EgZLUyNan).

When using either link, ensure you are visiting [hstar.com.au](http://hstar.com.au)



\* Refer to glossary.

0004993507-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



## Certificate check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

### Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page? Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

### Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

### Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

### Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

### Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

### Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional notes

Job# 39353

## Window and glazed door type and performance

### Default\* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
ALM-002-01 A	ALM-002-01 A Aluminium B SG Clear	6.7	0.70	0.66	0.73

### Custom\* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Window and glazed door schedule

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Bedroom	ALM-002-01 A	n/a	350	2300	n/a	00	E	No
Bedroom	ALM-002-01 A	n/a	2100	2500	n/a	45	W	No
Bath	ALM-002-01 A	n/a	2100	900	n/a	00	W	No

\* Refer to glossary.  
Generated on 23 Sep 2020 using BEERS Pro v4.4.0.1 (3.21) for Unit 2, 2 Charlottes Lane, Jindabyne, NSW, 2627

0004993507-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
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## Roof window type and performance

Default\* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Height (mm)	Width (mm)	Orientation	Outdoor shade	Indoor shade
No Data Available								

## Skylight type and performance

Skylight ID	Skylight description
GEN-04-010a	Tubular single-glazed clear, Timber and Aluminium Frame

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
Kitchen	GEN-04-010a	n/a	50	0.30	E	None	No	0.50
Bedroom	GEN-04-010a	n/a	250	0.30	E	None	No	0.50

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
Kitchen	2550	2100	90	N

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
EW-1	Metal Clad Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2.5	Yes
EW-2	Metal Clad Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2.5	Yes

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0004993507-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



### External wall *schedule*

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
Kitchen	EW-1	2550	1395	E	0	NO
Kitchen	EW-1	2550	1395	W	1500	NO
Kitchen	EW-1	2550	2300	N	0	NO
Bedroom	EW-2	2550	2790	E	0	NO
Bedroom	EW-1	2550	2790	W	1500	NO
Bath	EW-2	2550	1095	E	0	NO
Bath	EW-1	2550	2300	S	0	NO
Bath	EW-1	2550	1095	W	1500	NO

### Internal wall *type*

Wall ID	Wall type	Area (m <sup>2</sup> )	Bulk insulation
IW-1 - Cavity wall, direct fix plasterboard, single gap		12.00	No insulation

### Floor *type*

Location	Construction	Area (m <sup>2</sup> )	Sub-floor ventilation	Added insulation (R-value)	Covering
Kitchen	Suspended Timber Floor 19mm	3.10	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm
Bedroom	Suspended Timber Floor 19mm	6.20	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm
Bath	Suspended Timber Floor 19mm	2.40	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm

### Ceiling *type*

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Kitchen	Plasterboard	Bulk Insulation R3.5	No
Bedroom	Plasterboard	Bulk Insulation R3.5	No
Bath	Plasterboard	Bulk Insulation R3.5	No

### Ceiling *penetrations\**

Location	Quantity	Type	Diameter (mm <sup>2</sup> )	Sealed/unsealed
Kitchen	2	Downlights - LED	150	Sealed
Kitchen	1	Exhaust Fans	150	Sealed
Bedroom	2	Downlights - LED	150	Sealed
Bath	1	Downlights - LED	150	Sealed
Bath	1	Exhaust Fans	250	Sealed

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0004993507-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



## Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

## Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Corrugated Iron	No Insulation, Only an Air Gap	0.50	Medium

0004993507-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



## Explanatory notes

### About this report

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Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

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Australian Capital Territory (ACT) licensed assessors may only produce assessments for regulatory purposes using software for which they have a licence endorsement. Licence endorsements can be confirmed on the ACT licensing register

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The predicted annual energy load in this NatHERS Certificate is an estimate based on an assessment of the building by the assessor. It is not a prediction of actual energy use, but may be used to compare how other buildings are likely to perform when used in a similar way.

Information presented in this report relies on a range of standard assumptions (both embedded in NatHERS accredited software and made by the assessor who prepared this report), including assumptions about occupancy, indoor air temperature and local climate.

Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

## Glossary

<b>Annual energy load</b>	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
<b>Assessed floor area</b>	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
<b>Ceiling penetrations</b>	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
<b>Conditioned</b>	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
<b>Custom windows</b>	windows listed in NatHERS software that are available on the market in Australia and have a WERS (Window Energy Rating Scheme) rating.
<b>Default windows</b>	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
<b>Entrance door</b>	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
<b>Exposure category – exposed</b>	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
<b>Exposure category – open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category – suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category – protected</b>	terrain with numerous, closely spaced obstructions over 10m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.
<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap (also known as foil)</b>	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight (also known as roof lights)</b>	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).



## Nationwide House Energy Rating Scheme NathERS Certificate No. 0004993523-01

Generated on 23 Sep 2020 using BERS Pro v4.4.0.1 (3.21)

### Property

**Address** Unit 3, 2 Charlottes Lane , Jindabyne ,  
NSW , 2627  
**Lot/DP** 9/-  
**NCC Class\*** 1A  
**Type** New Dwelling

### Plans

**Main Plan** 304  
**Prepared by** -

### Construction and environment

<b>Assessed floor area (m<sup>2</sup>)*</b>	<b>Exposure Type</b>
Conditioned* 12.0	Suburban
Unconditioned* 0.0	<b>NathERS climate zone</b>
Total 12.0	69
Garage 0.0	



### Accredited assessor

**Name** darren parker  
**Business name** energyraters.com.au  
**Email** admin@energyraters.com.au  
**Phone** 02 60 24 10 22  
**Accreditation No.** DMN/15/1694  
**Assessor Accrediting Organisation**  
Design Matters National  
**Declaration of interest** None



### Thermal performance

<b>Heating</b>	<b>Cooling</b>
<b>405.2</b>	<b>81.8</b>
<b>MJ/m<sup>2</sup></b>	<b>MJ/m<sup>2</sup></b>

### About the rating

NathERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

### Verification

To verify this certificate, scan the QR code or visit [hstar.com.au/QR/Generate?p=kaGkjgjpR](http://hstar.com.au/QR/Generate?p=kaGkjgjpR).



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### National Construction Code (NCC) requirements

The NCC's requirements for NathERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NathERS assessment. Requirements additional to the NathERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NathERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.

\* Refer to glossary.

0004993523-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



## Certificate check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

### Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page? Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

### Ceiling penetrations\*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

### Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate?

### Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

### Exposure\*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

### Provisional\* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

## Additional notes

Job# 39353

## Window and glazed door type and performance

### Default\* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
ALM-002-01 A	ALM-002-01 A Aluminium B SG Clear	6.7	0.70	0.66	0.73

### Custom\* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Window and glazed door schedule

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Bedroom	ALM-002-01 A	n/a	350	2300	n/a	00	E	No
Bedroom	ALM-002-01 A	n/a	2100	2500	n/a	45	W	No
Bath	ALM-002-01 A	n/a	2100	900	n/a	00	W	No

\* Refer to glossary.  
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0004993523-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
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## Roof window type and performance

Default\* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

Custom\* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

## Roof window schedule

Location	Window ID	Window no.	Opening %	Height (mm)	Width (mm)	Orientation	Outdoor shade	Indoor shade
No Data Available								

## Skylight type and performance

Skylight ID	Skylight description
GEN-04-010a	Tubular single-glazed clear, Timber and Aluminium Frame

## Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m <sup>2</sup> )	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
Kitchen	GEN-04-010a	n/a	50	0.30	N	None	No	0.50
Bedroom	GEN-04-010a	n/a	250	0.30	N	None	No	0.50

## External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
Kitchen	2550	2100	90	N

## External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
EW-1	Metal Clad Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2.5	Yes
EW-2	Metal Clad Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2.5	Yes

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0004993523-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



### External wall *schedule*

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
Kitchen	EW-1	2550	1395	E	0	NO
Kitchen	EW-1	2550	1395	W	1500	NO
Kitchen	EW-1	2550	2300	N	0	NO
Bedroom	EW-2	2550	2790	E	0	NO
Bedroom	EW-1	2550	2790	W	1500	NO
Bath	EW-2	2550	1095	E	0	NO
Bath	EW-1	2550	2300	S	0	NO
Bath	EW-1	2550	1095	W	1500	NO

### Internal wall *type*

Wall ID	Wall type	Area (m <sup>2</sup> )	Bulk insulation
IW-1 - Cavity wall, direct fix plasterboard, single gap		12.00	No insulation

### Floor *type*

Location	Construction	Area (m <sup>2</sup> )	Sub-floor ventilation	Added insulation (R-value)	Covering
Kitchen	Suspended Timber Floor 19mm	3.10	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm
Bedroom	Suspended Timber Floor 19mm	6.20	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm
Bath	Suspended Timber Floor 19mm	2.40	Very Open	Bulk Insulation, Gap to Floor R3.5	Cork Tiles or Parquetry 8mm

### Ceiling *type*

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Kitchen	Plasterboard	Bulk Insulation R3.5	No
Bedroom	Plasterboard	Bulk Insulation R3.5	No
Bath	Plasterboard	Bulk Insulation R3.5	No

### Ceiling *penetrations\**

Location	Quantity	Type	Diameter (mm <sup>2</sup> )	Sealed/unsealed
Kitchen	2	Downlights - LED	150	Sealed
Kitchen	1	Exhaust Fans	150	Sealed
Bedroom	2	Downlights - LED	150	Sealed
Bath	1	Downlights - LED	150	Sealed
Bath	1	Exhaust Fans	250	Sealed

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0004993523-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



## Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

## Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Corrugated Iron	No Insulation, Only an Air Gap	0.50	Medium

0004993523-01 NatHERS Certificate

4.2 Star Rating as of 23 Sep 2020



## Explanatory notes

### About this report

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While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

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Information presented in this report relies on a range of standard assumptions (both embedded in NatHERS accredited software and made by the assessor who prepared this report), including assumptions about occupancy, indoor air temperature and local climate.

Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

## Glossary

<b>Annual energy load</b>	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
<b>Assessed floor area</b>	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
<b>Ceiling penetrations</b>	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
<b>Conditioned</b>	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
<b>Custom windows</b>	windows listed in NatHERS software that are available on the market in Australia and have a WERS (Window Energy Rating Scheme) rating.
<b>Default windows</b>	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
<b>Entrance door</b>	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
<b>Exposure category – exposed</b>	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
<b>Exposure category – open</b>	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
<b>Exposure category – suburban</b>	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
<b>Exposure category – protected</b>	terrain with numerous, closely spaced obstructions over 10m e.g. city and industrial areas.
<b>Horizontal shading feature</b>	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.
<b>National Construction Code (NCC) Class</b>	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at <a href="http://www.abcb.gov.au">www.abcb.gov.au</a> .
<b>Opening percentage</b>	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
<b>Provisional value</b>	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at <a href="http://www.nathers.gov.au">www.nathers.gov.au</a>
<b>Reflective wrap (also known as foil)</b>	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
<b>Roof window</b>	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
<b>Shading device</b>	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
<b>Shading features</b>	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
<b>Solar heat gain coefficient (SHGC)</b>	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
<b>Skylight (also known as roof lights)</b>	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
<b>U-value</b>	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
<b>Unconditioned</b>	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
<b>Vertical shading features</b>	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).





## AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : 10.2020.135.1

Client Service ID : 567120

Snowy Monaro Regional Council

PO 714

Cooma New South Wales 2630

Attention: Sarah Brown

Email: sarah.brown@snowymonaro.nsw.gov.au

Dear Sir or Madam:

Date: 10 February 2021

**AHIMS Web Service search for the following area at Lot : 9, DP:DP861805 with a Buffer of 50 meters, conducted by Sarah Brown on 10 February 2021.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

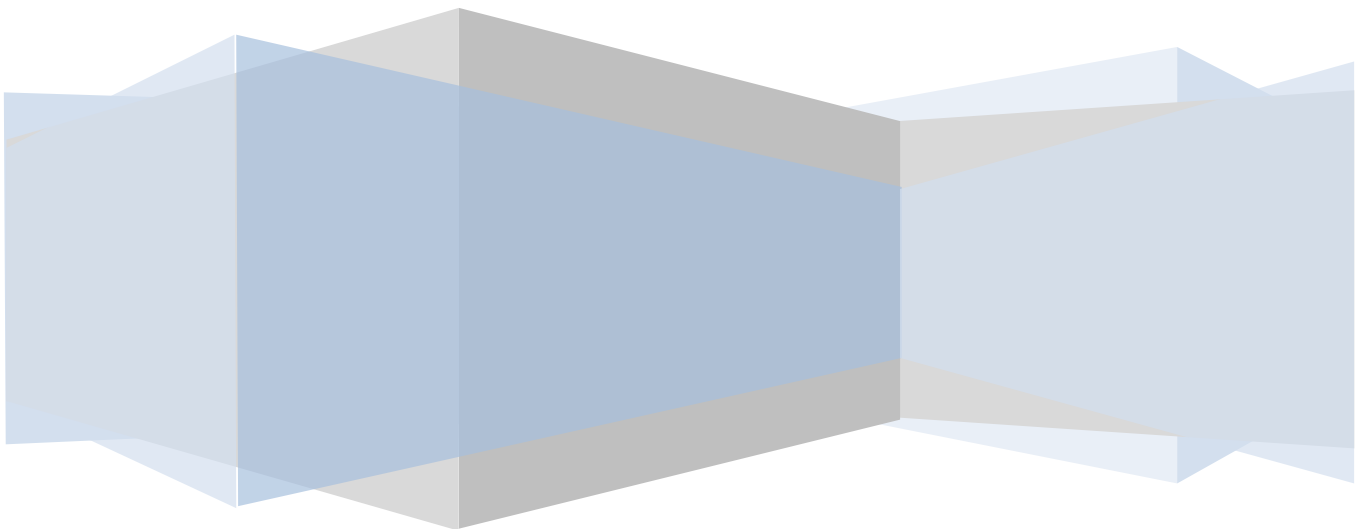
**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

# WATERCHECK TESTING ON SITE SEWAGE MANAGEMENT ASSESSMENTS

## New System Installation

2 Charlottes Lane Jindabyne



**On Site Sewage Management Report  
New System Installation  
2 Charlottes Lane  
Jindabyne**

**Prepared For:** Joel & Bridgette Grenfell

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**Prepared By:** Allan Mills    Certificate On Site Sewage Management:  
TAFE  
Centre for Environment Training Newcastle

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**Report No:** 201970

**Date of Assessment** 24-12-2019

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**Watercheck Testing**

ABN 83642316606

Office

Rushes Bay Avenue

East Jindabyne 2627

TEL: 02 64567388

Postal Address

PO Box 352

Terrigal 2260

Email: [amills44@bigpond.net.au](mailto:amills44@bigpond.net.au)

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## SITE INFORMATION

Client Joel & Bridgette Grenfell

Address tzkran@bigpond.net.au

Site 2 Charlottes Lane Jindabyne

### Proposal For On Site Sewage Management Overview

From plans received 4/11/2019 the proposed development will consist of four container cabins.

Each cabin will consist of one bedroom with ensuite and basic kitchenette with a sink.

Each cabin will have the potential to house two persons

A baffled septic tank with minimum capacity of 4000 litres is to be installed with effluent gravity fed to 2 x 25m absorption trenches

### Site Plan Attached

A site diagram is attached and with aerial photos also attached for additional identification

### Intended Water Supply

The proposed water supply will be from tank water.

### Expected wastewater generation

Expected maximum wastewater generation is 640 litres per day

### Local experience (information regarding on-site sewage management systems installed in the locality).

Septic tanks with absorption trenches are installed in the locality



## SITE ASSESSMENT

### Climate

Cool to cold climate with low temperatures to below 15 degrees centigrade.  
Low rainfall with high evaporation rates

### Where appropriate

Land application area calculation attached N/A

Wet weather storage area calculation attached N/A

### Flood potential

Land application area above 1 in 20 year flood level Yes

Land application area above 1 in 100 year flood level Yes

Electrical components above 1 in 100 year flood level Yes

### Exposure

Effluent disposal area faces west and is fully exposed to sun and wind.

### Slope

5 degrees linear convergent across the proposed effluent disposal area

### Landform

Mid Slope

### Run on and seepage

No springs or soaks in the vicinity

### Erosion Potential

There is no potential for erosion in the effluent disposal area.

### Fill

Natural ground

### Ground water encountered

Test pits dug to 1000mm. Ground water was not encountered.

There are no bores within 200m of effluent disposal area

**Buffer distances from wastewater management system to:**

Permanent waters

Steeles Creek is situated 230m down gradient southwest

Other waters

There are no other waters in the vicinity

Other sensitive environments

There are no other sensitive environments in the vicinity

Boundary of premises (m)

Nearest boundary further than 20m south

Swimming pools (m)

Nil

Buildings (m)

Nearest building is 30m up gradient

Roads (m)

Access roads should be a minimum of 3m up gradient and 6m down gradient

Is there sufficient land area available for application system including buffer distances?

Yes

Reserve application area including buffer distances?

There is reserve application area including buffer distances

Surface rocks

There are no surface rocks in the proposed effluent disposal area

## SOIL ASSESSMENT

### Soil sampling details

Three test pits were dug across the proposed application area. Soil samples were collected for testing from each pit

### Collection date

20th December 2019

### Sampling Method

Auger

### Laboratory number

201970

### Depth to bedrock or hardpan (mm)

Test pits were dug to 1000mm. Hardpan was not encountered

### Depth to high soil water table (mm)

Test pits dug were to 1000mm. High soil water table was not encountered

### Soil texture structure and permeability category

Texture     sandy loam

Structure   Moderate

Design Load Rates mm/d   17mm

Permeability category   3a

Coarse Fragments   16% < 10mm

Ph CaCl2   5.9

EC mS/cm   <1

Dispersion   Class 3 non dispersive soil

Presence of discontinuities   None present

Presence of fractured subsoil   Not detected

### Sizing effluent disposal area

2 x 25m absorption trenches

### **GENERAL COMMENTS & RECOMMENDATIONS**

All buffer distance setbacks have been achieved.

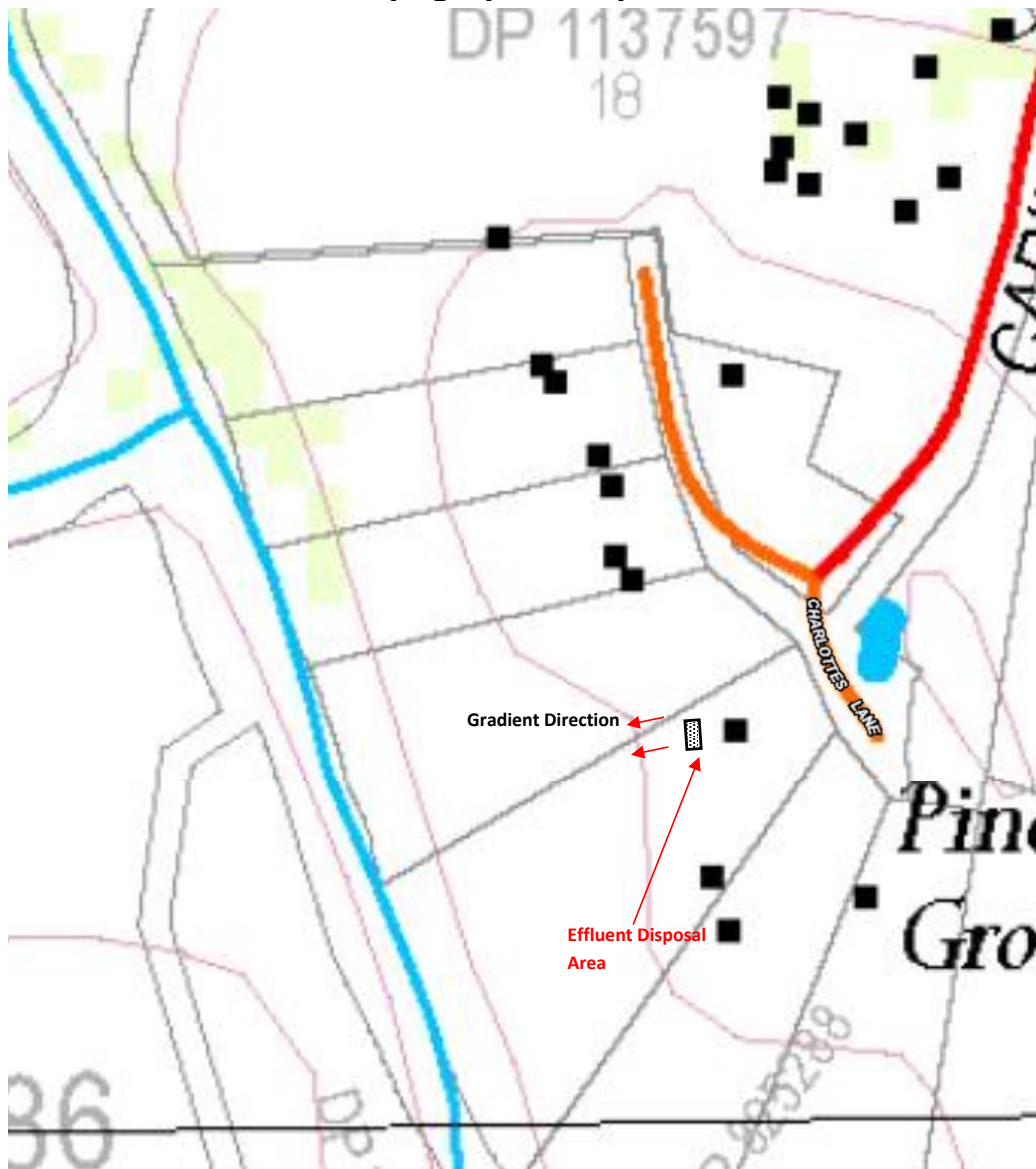
Surface water diversion is to be implemented up gradient of effluent disposal area.

A splitter box is to be installed to ensure effluent is evenly distributed between trenches.

### Aerial View Image



**Topographic Map**





**Site Diagram**  
**On Site Sewage Management**  
**2 Charlottes Lane**  
**Jindabyne**

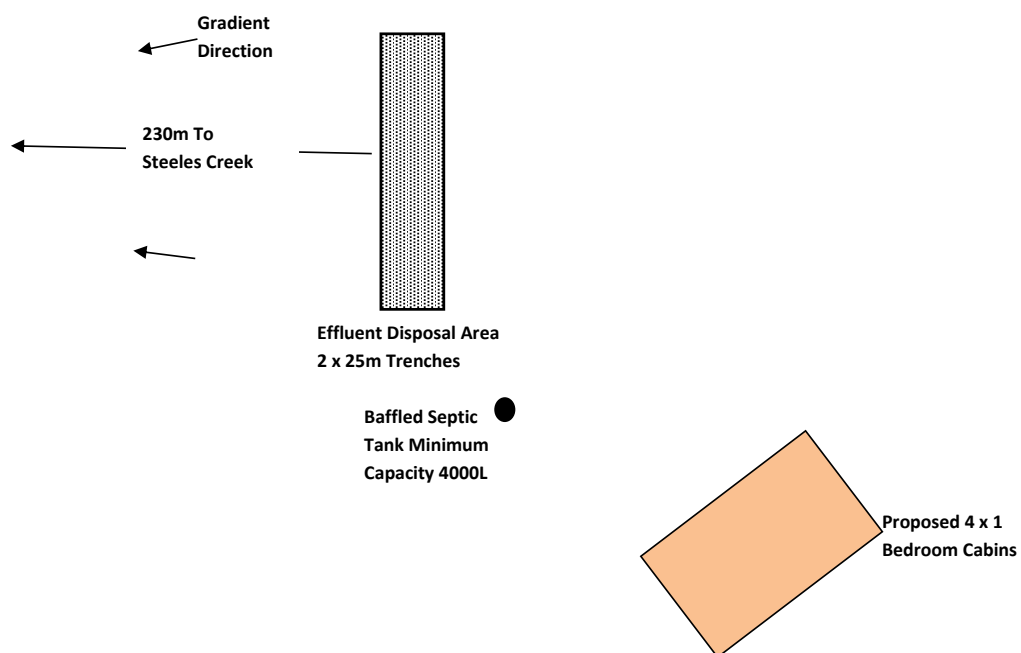
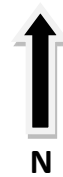


Diagram Only  
Plan Not To Scale  
Watercheck 24-12-2019  
Note: This Is Not A Sewage Diagram

## Site Photos





Please see below for responses to individual submissions. I have placed submission 5 at the end, due to the size. I have posted my responses for submission 5 in red so that they are easier to distinguish, I copied most of the information from the submission (but left out the parts that had already been answered so that there is not repeated information).

I would like to take a moment to say that the development we are proposing is extremely small, low visibility, low impact cabins that are many metres away from some households and kilometres away from others. The neighbours have unfairly drawn a focus on us and purely our "financial gain" as if we are some kind of money hungry, out of towners who are here to exploit their area and give no second thought to our neighbours. This has been a very disheartening and eye-opening experience for us. We feel as though their focus on our 'financial gain' is an unfair one as this proposal alone has taken many, many years of hard work and saving for us. It is not a "get rich" scheme as many have made out and we have dedicated many years in the past and the future to saving, paying off debts etc. As we will plan on mostly looking after the cabins ourselves, this will result in lower hours of employment elsewhere and will have a significant impact on our income. We will be no better off financially from this than others that have invested this sort of money into a business/education etc.

This is planned to be a humble operation that my husband and I are very passionate about. We want to share the rural way of living with others through providing sustainable and ecologically friendly accommodation. Although it is not directly related to this proposal, we have a vision to grow our dreams of a hobby farm (with veggie gardens, chickens, cows etc) by which we can share produce and knowledge with our guests and also promote a sense of appreciation and responsibility for this beautiful town in which we are lucky enough to live in. We want to create a little haven where people can come, learn about the local area, history, native animals and vegetation and hopefully bring education and awareness to guests who may not have otherwise had this if they stayed elsewhere.

Fortunately for some and unfortunately for others, Jindabyne is a town of growth. It has continued to grow since the 60's and will continue to grow well into the future. It feels as though many residents are so extremely opposed to growth that, no matter what it is, they will maintain a 'not in my backyard' mentality. All of these residences here came after the establishment of Carinya Alpine Village and this residential area is literally built off the back of a main tourist accommodation area. If the residents have bought here to be away from the tourism sector I'm not really sure they are in the right area. If tourism makes them uncomfortable, perhaps somewhere like Dalgety would have been a more viable option.

We believe it is so important to share all this with others but believe it is also detrimental to the accommodation issues in Jindabyne. We don't believe there is enough of these boutique, rural types of accommodation even though Jindabyne is a predominantly rural area. The majority of accommodation is in town, where houses are purchased and used solely for the occupation of short-term accommodation for tourists. In turn, this takes away much needed permanent, year-round houses and/or long term rentals away from individuals and families. By combining both rural residential houses, along with small, low impact short term accommodation you are

having both long term and short term on the one property. We know of individuals/couples and have heard many other stories where there are people are sleeping in their cars as there is either no accommodation available and/or what is available is well out of their budget ie. a large, 4 bedroom house in town. This has resulted in them sleeping in their cars whether thats in a car-park or on the street. Also, as a couple who have frequented Jindabyne for years prior to buying our home here, we yearned for accommodation that was quiet, small, warm and affordable when we just wanted to rest our heads. This is where our idea and passion developed from for this proposal. We believe these small cabins, which only have an occupancy maximum of 2 people, are a positive step towards affordable, yet environmentally friendly and sustainable accommodation in Jindabyne.

In saying all of this, we understand the neighbours have a desire and a right to their peace, quiet and enjoyment of their houses. Given the large blocks that we are located on (10+ acres) I do not believe that our lives significantly impact each other. We do feel the same way in that we would like to continue to establish this as a peaceful location. This is why we will ensure that any guests present will always be doing the right thing and there will be a zero-tolerance policy to any who are not. We will ALWAYS be on site when there are guests, as we have always done. We have tried to strategically place the cabins so that they are as out of sight as much as possible from the road (we will be planting more at the front corner of the property to assist with decreasing visibility). We will provide guests with extremely detailed directions and will be happy to place signage where it is needed/wanted. We will add a whole line of screening plants along the east fence (submission 5) so that they are unable to see into our property (and visa versa). This will give them basically complete privacy and aid in further sound blocking.

We are willing and would like to do all that we are able to, to ensure that the neighbours are not impacted and yet we are still able to follow our dreams of having some small cabins on our land. If there are any requirements or suggestions for how this can be improved/built on, we would love to hear them. We have tried to approach this application as openly and honestly as possible, this is the first time we have had an application like this into council, so I apologise if there is any clumsiness in our approach and we are happy to do what is needed to ensure this is submitted properly and to the best of our ability.

The submissions have all stated the same or similar objections so therefore the only submission I have addressed individually is submission 5. For the rest of the submissions, I have posted a summary addressing their concerns which is also addressed in submission 5.

**Land Zoning:**

Objections state that the land is zoned rural residential which cannot be used to support commercial business. Eco-tourism is permitted under RU1 and therefore is permissible on this land. Zoning and uses have been further addressed in the statement of environmental effects report so I won't repeat that information.

**Traffic noise/Roads:**

Carinya Lane, after you turn off the Snowy River Way, has absolutely no houses even remotely close to the road. There is a small house that has recently been built on the top of the hill that overlooks Snowy River Way, which would not be impacted any more by cars on Carinya Lane than it would by the cars on Snowy River Way, this house also did not exist when we began our submission for this development. The other houses are hundreds of metres away from the road and I'm not sure how they could be impacted by dust or road noise from this distance (it is a sealed road). After you pass Carinya Alpine Village (which allows up to 100 guests) we are the very first house at the top of the hill, you do not need to pass any residential houses on Carinya Lane/Charlottes Lane to get to our house. The road is also sealed all the way from Snowy River Way until our driveway, guests would not be using the unsealed part of the road. If this road is useable to 100 Carinya guests and residents and their friends/family and large horse floats and trailers and business trucks, I'm sure our potentially 8 guests are not going to make or break it.

I'm also not sure what they mean by this road was "not designed for traffic generated by commercial activities" as it is the same road that Carinya Alpine Village uses for its premises that is holiday accommodation of up to 100 people- encouraging sports clubs, churches or school groups- all of which would generally involve large vehicles such as buses/coaches etc.

Submission 3 addressed that they have livestock grazing along Carinya Lane. I don't believe they mean on the actual road as I have never seen any stock grazing freely on Carinya Lane, so if their stock is grazing within their own fences I'm not sure how this is even taken into consideration when looking at this development. It is up to the owner to ensure the fences are safe and secure, as they would for any fence on any road in the country. This is to ensure the safety of their livestock and road users. I'm not sure how this is any different to residents, visitors of residents or guests of Carinya Alpine Village using the road. It is each individual's responsibility to do the right thing and report any who aren't. The speed limit for the roads are sufficient in ensuring the safety of any individual/animal/child etc. who is using the roads, we cannot stop everyone from coming into this area because of an unwarranted fear of not following the road rules.



Residents have indicated we should contribute more to the road usage fees in order to compensate them for the increased usage. Although we believe our usage will not be of a great impact, we are prepared to pay extra in order to show good faith although this should not be an exorbitant or unfair amount and one that we agree on.

**Water:**

Almost all residents have expressed their concern that we will be using the water that is pumped from the Mowamba River into tanks owned by Renwick. Although we informed them this was not the case, they are still claiming this in the submissions. The water that is pumped from Mowamba will not be used for anything other than our own personal use in our residence (showers etc.) which we have paid for and are entitled to use. The cabins will be fed water from an extremely large rainwater tank up at our house (greater than 30,000 litres) and each cabin will also have their own rain water tank with roof catchment. None of the water from Mowamba River will be used for any of the cabins or any associated cleaning, washing etc. from the cabins so there is no need for them to worry themselves.

The Renwick deed only outlines the regulations surrounding the road and water usage, it does not state anything about what can be done with the land.

**Septic:**

The cabins would be connected to a new septic system that is over 200 metres from Steeles Creek, it is placed outside the exclusion zone which is in place to prevent any run-off. It is no different to any of the residences along the ridge which have a septic system.

**Garbage:**

We are very much aware of the garbage situation at the bank of bins. As a household of two, we are sometimes unable to fit our very minimal amount of rubbish into the bins. There is no way we would have ever considered using these bins for our rubbish disposal, this would be selfish and irresponsible. We would look at having either decent-sized bins on site that we would be able to transport and empty ourselves at the tip or have a rubbish removal service service that would empty them (which I believe is what Carinya does). Neighbours have expressed that having a company come and empty them would further increase traffic, however, I do not see how this service is any different to the trucks that are already dropping off peoples firewood, online shopping, landscaping supplies etc. We would ensure the bins are large enough that this does not need to be done too frequently.

**Privacy/security:**

All year round, but winter especially, always brings many visitors to Carinya Lane/ Charlottes Lane. Whether these are friends and family visiting or tourists, I believe accusing tourists of having malicious intentions or threatening security is unjustified and unfair.

Submission 6 believes that the cabins should be at least 30 metres from the fenceline. The houses aren't even that far away. The neighbour that they are concerned for have a giant, 2 storey shed that is closer to the fenceline than what the cabins will be.

**Noise:**

Wind-noise: I do not believe this is a valid argument, I do not see how these cabins could increase wind noise. These are also no different to a resident installing a shed (which there are many, even 2 storeys high) or any other structure. The wind in the valley and through the trees is noise enough in itself and I do not see how these will create any additional "wind noise".

I'm not sure where submission 3 got their information from in regards to "open air deck area and large balconies". There are no large open air decks. There are no balconies. The cabins will have a simple stair/ramp from the entry point to the ground (depending on the height from the piers) with a small gravelled area at the front to the driveway. There will be a small overhang of roof to provide shelter from the rain/elements. There will be some screening trees/plants around the cabins to assist with privacy, visual appeal, blending with natural surroundings and noise reduction. I have provided a rough drawing of this to give an idea of how this will come together. I believe complaining about air conditioning noise is an exaggeration. Modern air conditioner units are very quiet and the sound would not travel far enough to impact on the adjoining neighbour (let alone any other neighbours). We currently have larger versions of these air conditioners on our home and you can barely hear them from just a few metres away.

**Current residence use:**

Although this is not related to the development application, residents have brought up the current use of renting out our downstairs bedrooms on airbnb. This was done as a short term solution whilst there are no cabins and we had only done this during the winter when accommodation is scarce. Although the guesthouse is 'self contained' it is still a part of our house with an adjoining internal door. This has NEVER been rented out when we are not present, which the neighbours have falsely claimed. We have followed all relevant laws and code of conduct. The below from the Fair Trading NSW website outlines the exempt development laws. I have not copied the entire article as I'm sure you are aware of this.

## ***Planning laws***

*New planning laws will allow short-term holiday letting under certain conditions. If the host is present, they can use their home for short-term holiday letting all year round as exempt development. That is, they do not need to submit a development application to local council.*

*If the host is not present, that residence can be used for short-term holiday letting up to 180 days per year in Greater Sydney, with 365 days allowed in all other areas of New South Wales. Councils outside Greater Sydney will have the power to decrease the 365 day limit to no less than 180 days per year.*

*There will also be additional conditions for bushfire prone land to ensure visitor safety.*

*For more information visit the [NSW Planning & Environment website](#).*

As mentioned, this is only a short term thing and we plan to cease this when the cabins are up and running.

Some residents have falsely claimed that we are not on site whenever guests have been present, which is a downright lie. I would also take the information about guests arriving from our airbnb at other properties with a grain of salt. I was informed by another resident that this was actually from another airbnb property operating in the Carinya area as apparently they don't provide very good directions. I believe they have just applied this scenario to us as well to discredit us. We provide extremely accurate and descriptive directions to all our guests and they have always advised they did not have any issues finding the property.

Submission 7 stated that Eurie Eurie has had issues and such we should be tarred with the same brush. As mentioned, we provide accurate directions to the property and it appears the airbnb has already not impacted this resident (as I'm sure they would have mentioned if it did).

#### Submission 5:

I believe a lot of this submission has just repetitively addressed the same information continuously in different ways in order to discredit us. I believe this is inefficient and has just resulted in much wasted time through reading repetitive statements.

The below (5.13) has all been addressed in detail on the Statement of Environmental Effects report and all throughout this report, so I won't add this information as it will just be repeated.

#### 5.13 Eco-tourist facilities

**5.13 The dictionary from the Snowy River LEP 2013 provides further clarification on the term eco-tourist tourist facility.**

Solar access to and from site	<p>Solar access is impeded by the placement of cabins. Extending the adjoining property into an extended period of shade. Cabins will be in shade from the established trees, adding further burden on requirements for heating and cooling.</p> <p>There is no impact, given the location of the sun the cabins are not high enough on the land to cast a shadow to their fenceline, let alone to their roof. The huge sheds they have and the line of pine trees would be what</p>
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	would block their sun. The cabins will receive direct sun all day and would be a very viable option for solar. However, for maximum solar capacity we would be placing the solar system on the main house roof and having it fed to the cabins.
Views to and from site	<p>Views are impacted by the location of cabins - see current view</p> <p>As you can see from photos provided, the cabins are extremely hidden from street view. We have provided additional photos that show the view of the cabins towards this adjoining fence line and you can see that these residents have minimal to no view of the cabins as they have a very large 2-storey shed and other small shed/equipment in the way. We will also provide screening along the whole fence line from the house until the final cabin so there will be no vision at all.</p>
Privacy (acoustic and visual)	<p>Area is extremely quiet, distances between dwellings aid visual and acoustic privacy. Visual privacy will not be able to be maintained by adjoining properties by the proposed DA. Guest movement, vicinity will intrude in the residents daily use and enjoyment of the property.</p> <p>As mentioned, distance between dwellings aids visual and acoustic privacy. Additional screening will provide almost 100% privacy between fence line. I don't understand how this impacts someones daily use and enjoyment when it is not on their property at all.</p>
Overshadowing	<p>Cabins will overshadow the adjoining property.</p> <p>As mentioned in solar access point, cabins are well below standard building height and shadow will not even reach fence line. Also as mentioned, shadowing comes from giant sheds and pine trees, cabins will have no impact.</p>
Vegetation removal required	Unknown

	No tree removal at all and minimal disturbance to ground due to being on piers.
Excavation and fill required	<p>Unknown - but likely to occur due to inclusion of new driveway and parking facilities to accommodate guests. Excavation required to connect cabins to sewage tank.</p> <p>Yes this comes with development. It is no different to the huge excavation they have done on their own property to install dressage/horse equipment and giant sheds. We have taken all measurements to ensure this is as minimal as possible and no tree removal.</p>
Effluent disposal techniques	<p>Document provided which adds an additional OSM unit to the property, further burdening the land and surrounding areas with effluent smells in prevailing winds. DA includes the OSM documentation which indicates the absorption trenches are hard up against the 'Restriction on land use' boundary that applies to the block.</p> <p>No absorption trenches enter the restricted area so I'm not sure why this is mentioned. The exclusion zone is for 200 metres which is more than sufficient.</p>
Access to water	<p>Not described in supporting documentation. Applicant supplied email to Renwick Pty Ltd stating intent to connect to rainwater tanks and truck in water. No mention on plans. Non potable water is provided to lots via easement, Renwick Pty Ltd is setup to invoice residents for water and road maintenance.</p> <p>Carinya's water supply is irrelevant here as it won't be connected to this development. There was no mention of trucking in water in the email. This would be a last avenue if there was not sufficient rainfall (which is the same as any rural property connected to tanks). We would need to do this regardless for our own use. With a tank per cabin and a large 35000+ litre tank, which is always full, is ample amounts of water. It's not like we would be trucking in water every week, only</p>

	in detrimental circumstances.
Stormwater disposal, including impacts on upstream and downstream properties, waterways and lakes	<p>No discussed in supplied documents. No topographic map supplied to demonstrate the grade of the land. Land falls towards Steels Creek.</p> <p>Rain will be caught from the roof of each cabin and so will not have an effect on stormwater disposal. Steels Creek is more than 200 metres away.</p>
Easements, rights of carriageway and access arrangements	<p>DA is accessed via the Right of Carriageway across multiple properties. Easement for water is also across multiple lots. Maintenance and supply is through Renwick Pty Ltd.</p> <p>Water is irrelevant, road use is discussed in further detail in earlier part of submission.</p>
Prevailing winds	<p>Prevailing winds have carried noise, small and waste across our property from 2 Charlottes Lane.</p> <p>I don't think is a fair or true statement. I don't know how sound gets carried on the wind. We are hundreds of metres away from them and not sure how smell does either. We are extremely pedantic about littering and waste management so I do not believe this is a true statement.</p>
Pedestrian and vehicle access	<p>Safe access to the private road is enjoyed by residents, who ride bikes and horses in the area. Vehicle access is along a private road that is maintained. Increased vehicles will accelerate the degradation of these shared facilities.</p> <p>This is like any other road and road rules are in place for this reason.</p>
Significant noise sources on or around the site	<p>Significant noise disturbances have already been experienced by residents caused by guests staying at 2 Charlottes Lane. This will only be compounded by additional cabins on the site.</p> <p>I believe this an untrue statement. We have</p>



	always been on site with any guests, in the same building (much closer than the neighbours) and have not had any disturbances. I would like proof of this statement.
Contaminated soils Location and height of neighbouring buildings	Location of neighbouring buildings are well set back from the boundary in compliance with RU1 side setbacks.
Heritage features of the site and adjoining sites	Heritage site on adjoining property not mentioned.
Surface levels of the land and adjoining sites	No topographic information provided.
Levels of existing road pavement, gutter and footpath	No mention of the private road facilities managed by residents.
Bushfire hazard potential	<p>No mention. Of concern is increased risk to neighbouring properties due to the location of the cabins in proximity to the boundary. As well as water supply issues that have not been accounted for in the DA.</p> <p>This was mentioned in the statement of environmental effects report. This is not in a bushfire prone spot. The cabins are all located in a large clearing with no bushland surrounding them.</p>
Accessibility to services	<p>Area is hidden, visitors often get lost locating Charlottes Lane due to access being proved through adjoining properties. There is a lack of mobile phone reception in the area, which has safety implications for potential guests.</p> <p>Visitors don't often get lost, this is an exaggeration. We send extremely informative directions via. text days before. Google/apple maps also has no problems at all finding the property. We have fine reception for making phone calls (and a landline) if guests needed to use it. 000 calls work almost anywhere and there would be no problems making a triple 000 call in an emergency. We also supply and have working internet for additional communication.</p>

#### C1.2-8 Access

*Development will create additional requirements for water use, either through the cabins or indirectly by providing services at the main dwelling for washing linen, increased property maintenance requirements etc. Water provided to site is via easement across properties and is not potable. Our shared Riparian rights will be impacted and existing residents disadvantaged by the addition of a commercial enterprise at 2 Charlottes Lane.*

The washing machines are connected to the rainwater tank and the cabins are not connected to this shared water as mentioned previously so there is no impact.

#### 4. Tourist Development Subdivision

*The development will increase demand for council services in the area.*

There is no information or explanation for why this would be, just a vague statement. Unsure how the development increases demand for council services past the initial approval stage.

#### C2 Design

##### 1. Visual and Scenic impact

##### 1.3. Visual Character Controls

##### C2.1-1 Visual Landscape Character Assessment

*It should be considered that this DA will visually dominate the area as it can be seen from the road and by adjoining properties. The development does not reflect the settlement pattern of the immediate area.*

The cabins will not dominate the area as they can barely be seen from the road, only from the top corner of the block. Yes they can be seen more so by one property than the other (not the resident who presented this submission) and all care and consideration has been taken to have these properties facing the view (and not this resident) which then appropriate screening will be planted to help block their view. Additional planting will be done on this neighbours fence to provide screening also. The resident who provided this submission will not have a dominating view of these cabins at all due to the large pine trees and sheds etc. that are mentioned earlier. Also mentioned, we have provided photos of this.

*No consideration the DA application 10.2020.135.1 has been given to the impact that the cabins will have (constructed from material inconsistent with the local area) or the impacts of ancillary uses such as extending the driveway, adding additional carparking and provision of other amenities to the cabins sites, eg air conditioners, rainwater tanks, additional guests, sewage lines etc.*

The material is most definitely consistent with the local area, colorbond/steel are what our house is constructed from, our shed, the neighbours houses and sheds etc. I'm not sure how this

material is not consistent. The driveway will be consistent and flow from our current driveway in the same crushed rock. Rainwater tanks, air conditioners etc. will be strategically hidden by planting.

#### 1.4. View Sharing Controls

*Existing view corridors from our property are impacted by the inclusion of an eco tourist facility at 2 Charlottes Lane. No assessment provided on potential view impacts on neighboring dwellings. Cabins are located as close as 6.5m to our side boundary, in an area that is adjacent to our main outdoor facilities on our property and doesn't account for the loss of privacy we will experience.*

This has been addressed in the SEE report already, it is also addressed above. We have increased the minimum cabin distance to 10 metres from the boundary fence in sympathy with the neighbours.

#### 2. Crime Prevention Through Environmental Design

*Increasing the number of tourists in the area increases the capacity for crime to occur. Local residents look after each other and are able to identify abnormal behaviours in the area. This provides us with a sense of security and safety that will be eroded by the proposed DA. No mention in the DA of a lighting plan, additional lighting associated with the DA will further intrude on our sense of privacy and seclusion as well as interfere with an established photography hobby, documenting night sky features that we enjoy on our property, by increasing light pollution levels. Our understanding of C2.2-2 Lighting is that all communal and service areas must be well lit. This will cause further issues with our ability to enjoy our property. Due to guests at 2 Charlottes Lane Airbnb turning up at our property during the night, we have had to get quotes for additional security measures. These incidents are quite alarming and will occur more frequently with the inclusion of additional tourist accommodation.*

Unfortunately Jindabyne is a tourist destination. I'm not sure where the mentality comes from that tourists are criminals. There has been no criminal activity on our premises and I'm not sure why we have been accused of bringing criminal activity to the area. This is just a very sad and paranoid viewpoint. Furthermore, we are onsite if there are any disturbances whatsoever. I would like to see some kind of proof of these claims, that both tourism increases crime and that guests have turned up at their property as I don't believe this is entirely true.

There are no street lights around the area away from town and so the guests will rely on the same lightsource the rest of the area does if arriving at night. Their car lights to get to the destination and then outdoor lighting at the cabin. There will be signage on the front gate when entering and signs leading down to the cabins along the driveway. I think claiming light pollution from the cabins will "interfere with an established photography hobby, documenting night sky features" is dramatic and entitled. We do not believe the cabins would affect light pollution at all, let alone anymore than the home residence does.

### 3. Vehicle Access

*Access to the proposed DA is by Right of Carriageways across multiple lots. These facilities are maintained by residents. Residents should not be burdened with extra costs associated with the DA. We are trying to uncover where the second bushfire/egress route exists for the lots in Carinya, as the recent bushfire season highlighted that one road in, one road out could easily become compromised in an emergency.*

*Development of the eco tourist facility will cause road deterioration, in addition to the increased usage by guests at the facility.*

As stated under road use previously- I won't repeat myself. However, in case of a fire emergency, we will be onsite to assist guests.

### 5. Car Parking

*Under Objectives it states 'To ensure that the location and design of car parking does not result in detrimental effects on the streetscape and adjoining or nearby properties.' Other than a small illustration showing intended parking for the cabins and proposed driveway. There is no other information provided. Impacts not considered include the proximity of the driveways and car parking spaces to the property boundary. This will have negative impacts for us as adjoining neighbours due to increased guest movement in this vicinity, noise from vehicles, not just engine noise, but the opening and shutting of doors, accessing vehicles for luggage etc, it appears from the basic diagram provided, guests will have to reverse to the turning circle past the cabins and then perform a 3 point turn to exit the property. This is unsafe for other guests and has a high potential of property damage to our boundary fence line, which is critical to containing our horses. No mention is made about the materials used to construct the driveway or car parking, so it is hard to comment on in detail. With eco tourist facilities needing to ensure access for disabled guests, it appears that no provisions have been made for access from the designated car parking space and the disabled access cabin. With each cabin accommodating 2 adults, there is the potential for 8 vehicles in addition to the vehicles for guests using the air bnb, (another 8 guests) and the property residents who will need to be onsite as managers. This has not been accounted for in the DA proposal. The volume of vehicles onsite plus the associated movement of the vehicles will have significant impact on the local area through noise, disturbance to visitors, wear and tear on the roads. It is also stated on Page 72 that the development of an eco tourist facility should be supported by a traffic assessment. This has not been provided.*

Each cabin has been allocated 1 car spot as per the site plan and this is what will be communicated to the guests. If there are additional cars, there is ample parking space at our property as overflow that we can provide under special circumstances. As mentioned, the driveway will be constructed from the same material as the existing driveway to ensure it flows (crushed rock). Additional screening/hedge plants will be planted along the fenceline and will

provide additional protection to the fences and their horses, along with privacy and noise reduction. The distance of the cabins has been increased to 10+ metres, the driveway will be wide enough for 2 vehicles to pass each other. I'm not sure where this resident has the idea that guests will need to do a 3 point turn, it is a simple drive in and reverse out driveway, there is ample room for a car to do this.<sup>1</sup>

#### C5 Tree Preservation & Landscaping

##### 2. Landscaping

*No landscaping plans available on the DA Tracker.*

Landscaping as stated previously- will provide a basic plan for your perusal.

#### C6 Signage & Advertising

*No information provided.*

Happy to provide signage if this is required/requested. Will have signage at front resident gates and through to entry of cabins.

#### C8 Environmental Management

##### 1. Minimising Conflicts

1.1 Background Conflict can arise in rural areas between agriculture, rural industry and some residential and tourism uses. Anecdotal evidence suggests the potential for conflict where tourism uses have been permitted along rights of carriageway across adjoining farm land, or on dirt roads not properly designed for commercial uses. In small rural holding subdivisions the close proximity of tourist uses to residential uses can also be a cause of conflict related to the increased vehicle movements and noise associated with holiday makers. This is an issue that needs to be addressed with the location of future tourist and visitor accommodation, eco-tourist facilities and residential accommodation.

*NOTE: This statement highlights the key concerns that residents have in regards to DA10.2020.135.1. Resolving these conflicts is not addressed in the proposed DA 10.2020.135.1*

Due to the nature of this rural estate (Carinya) being established off the back of an already existing large accommodation business, Carinya Alpine Village (capacity of 100 guests) I don't understand how this is such a large concern to the residents. Avoiding addressing the actual large commercial business, Carinya, the residents would rather focus their objections on a boutique eco tourism venture, however large scale tourism has been prevalent here since well before their houses were even built.

##### 1.2. Objectives

The objectives in relation to avoiding conflict between uses within rural areas are

- To avoid development where it will limit or jeopardize the future use of adjoining land for preferred existing rural uses.
- To locate tourist and visitor accommodation, eco-tourist facilities and residential development an appropriate distance from agricultural (primary production) uses so as to minimise any impacts caused by odour, noise or dust.
- To provide adequate water supply to new development without resulting in an over exploitation of the surface or groundwater in the locality to the detriment of existing agricultural uses.

*NOTE: In further information provided via email to shareholders of Renwick Pty Ltd, it is proposed that water will be provided via rainwater tanks, this will be insufficient to supply the cabins exclusively and will require additional water being supplied from elsewhere. This will be of detriment to the users of the private road ( easement through 2 properties) through accelerated degradation, increased traffic and is not in keeping with the ethos of a self sustaining eco tourist facility by trucking in water.*

Eco facilities will be an appropriate distance from primary production uses as there are none around the general vicinity.

I have already gone over the water supply, I'm not sure why this resident seems to think this will be wildly insufficient as we have both tanks at each individual cabin and also a giant tank at the house for 4 small cabins. Obviously in a severe drought, there may have to be a rare occasion where water would be trucked in but this would not be something done very often at all and no different to the needs of other properties. This could be compared to someone ordering a new fridge and a truck having to deliver it. Or having firewood/soil/landscaping supplies/online shopping etc. delivered to a residents house. This is once again just unfair over-exaggeration to discredit us. Addressing this disputer, these residents drive multiple times a day with 4wd's pulling dual wheeled horse floats, had excavation equipment going constantly, back and forth on the roads (not to mention the noise disturbance). Constantly working on call from household which results in excessive use of the road for their personal gain.

### 1.3. Controls

#### C8.1-1 Minimising Conflicts

(a) Locate residential, eco-tourist facilities and tourist and visitor accommodation to minimise land use conflicts between other land uses in rural areas including agriculture, intensive agriculture and extractive industries.

*NOTE: Development conflicts long established land use in the area. Land is used as private residential properties, where residents enjoy the peace and tranquility of the area. DA is situated at the closest point to the existing barn and horse facilities on adjoining property.*



We do not believe the cabins will have any conflicting effect on surrounding properties land use. We also have a residential property here where we also enjoy the peace and tranquility of the area. I don't believe this residents' hobbies (horses and star photography) should determine how we are able to use our own, private property.

(b) Where proposed residential or tourist based development adjoins or is in the vicinity of existing agriculture, intensive agriculture or extractive uses, the development application must be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.

*NOTE: Adjoining property is used for keeping horses and development is located alongside their stable. There is no mention of how adjoining land utilises their property in the materials provided, in particular the Statement of Environmental Effects does not even consider or make mention of significant impacts on neighbouring properties.*

That is because it does not have a significant impact on neighbouring properties which the SEE has addressed, this has been also addressed many times so I won't repeat again.

(c) In assessing development adjoining the existing uses, the Council must:

- Consider whether or not the development is likely to have a significant impact on the use that, in the opinion of the Council having regard to land use trends, is likely to be the preferred use of the land in the vicinity of the development.
- Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility.
- Design and site the development in a way to minimise land use conflicts between other uses including existing residential development.

*NOTE: Development conflicts with established land use trends. Area is an established quiet rural residential living area, with residents who have chosen the location for the peace and tranquility that the area offers. Site design is incompatible with existing land uses. No evaluation demonstrated by the applicant to consider, minimise or avoid any incompatibility. This is explored in more detail further on.*

Every individual who has moved to this area have different ideas on how they want to structure their lives. We do not believe either should dictate what the other can do. As long as each doesn't have a direct impact on the other, I do not see what the issue is. We have addressed multiple ways we have considered the neighbours and steps we will take to minimise and avoid any impact on other residents, including their hobbies.

(g) Where proposed tourist and visitor accommodation or eco-tourist facility development adjoins or is in the vicinity of existing residential development, the development application is to be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.

*NOTE: No assessment on how land use conflicts have been considered or how the existing residents will be impacted by the development. This demonstrates the failing of the applicant to consider and abide by regulations.*

We paid thousands for a statement of environmental effects report which outlines how this has been considered and addressed.

(h) In assessing development adjoining the existing residential uses, the Council must consider whether or not the development is likely to have a significant impact on the residential uses including increased vehicle movement and noise.

*NOTE: This development will have a significant impact on the local area, as it is in contrast to the quiet residential nature of our small rural properties. Key areas of concern are addressed in detail further on in this submission.*

This has been addressed multiple times.

#### 4 Eco-tourist Facility

I have not added a response to this section as it has been covered multiple times, in detail, elsewhere.

##### 4.1 Design of Eco-Tourist Facilities

###### 4.1.1 Objective SITE DESIGN

To improve the environment of a site and incur minimal site disturbance through integrative design which reflects rather than alters the natural existing landscape.	<p>Does not improve the site or local area. Reduces enjoyment of the local area for long term residents through increased guests on the property, increased vehicles, poorly thought out design and location, reduced ability to enjoy own property as well as loss of privacy.</p> <p>These residents are not able to look outside of their own bubble and realise these types of development are very beneficial to Jindabyne. They spread out the local tourism so that it is not just concentrated in a small area in town. They will improve on the environment through local knowledge and information on important flora and fauna in the area. This type of tourism is much more rich in immersion in nature and culture than being next door to the pub in town. The cabins will have a small footprint but will have</p>
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	plenty of privacy screening plants and natives planted all around them to integrate them into the surrounding area.
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## Controls

### 4.1.2 Objective PARKING

### 4.1.3 Objective EDUCATION AND AWARENESS

### 4.1.4 Objective ACCESS

### 4.2 Operation of Eco-Tourist Facilities

I have not added a response to this section as it has been covered multiple times throughout this response.

### 4.2.1 Objective MANAGEMENT

To achieve appropriate standards for the operation and management of eco-tourist accommodation.

## Controls

### Eco-tourist facilities will:

Be centrally managed by on-site management , where that eco-tourist facility accommodates over 15 guests. All structural and land components will be the responsibility of one management whether or not individual structures are owned by different entities.	No evidence of onsite management during winter for existing AirBnB. Accommodation provided for guests across proposed cabins and Air BnB is 16 guests.  This is a flat out lie. There has not been a single day we have not been onsite when there are guests present at the airbnb. The airbnb and 4 cabins will not be running simultaneously as the cabins will replace the airbnb. I have addressed the airbnb seperately.
Use an existing or proposed dwelling as the manager's residence (where possible), where a manager's residence is provided as part of the eco-tourist facility.	Existing residence is used as an Air BnB.  Only additional bedrooms downstairs are rented out during the winter, the house is still a main residence where we live.
Be permitted only one manager's residence	Can the existing dwelling be used for short

on land on which the eco-tourist facility is proposed.	term accommodation and classed as the manager's residence?  There is a managers residence though-where we live.
Operate on a year-round basis.	The cabins will be open for operation year-round.
Be used solely for the provision of temporary holiday accommodation (no more than three (3) consecutive months).	That will be the case.
Incorporate ongoing monitoring of the development in total and continually assess cumulative impacts, striving to improve the environment within which the development is situated.	No information provided on how impact will be monitored and managed. No mention of how the environment is going to be improved.  There has been much mention of how the environment will be improved ie. much needed native planting etc.

#### 4.3 Waste Management

This has already been addressed in another section.

#### State Environmental Planning Policy (SEPP)

*In addition to the above points where we have consulted the Snowy River Local Environmental Plan and Snowy River Development Controls, we have also consulted with the State Environmental Planning Policy which overlays the state of NSW.*

Part 3A Rural Housing Code

Complying development in the RU1 zone

Subdivision 3 Building heights and setbacks

3A.16 Setbacks of dwelling houses from side boundaries

1. This clause applies to a dwelling house and any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house (a building).
2. Any point of a building, on a lot to which this code applies, must have a setback from the side boundary nearest to that point of at least the following distance—  
(a) if the lot is in Zone R5 and has an area of less than 4,000m<sup>2</sup>—2.5m,

(b) if the lot is in Zone R5, and has an area of at least 4,000m<sup>2</sup>, or is in Zone RU1, RU2, RU3, RU4 or RU6—10m.

NOTE: The proposed development fails to meet this basic requirement by locating their development as close as 6.5m to our property boundary.

It has been confirmed with the planners that there is no minimum setback when it comes to eco cabins. This has been addressed though and with sympathy to the neighbours, setbacks have been changed to a minimum of 10 metres from the boundary fence.

### Current use of residence

Already addressed above.

As neighbours adjoining the proposed development we wish to raise our objections to the development based on information provided above and on the following points:-

### Zoning

Addressed above and in SEE

### Location

It has been addressed multiple times.

### Noise

The below has been addressed multiple times.

- Established quiet rural area. Location and increased number of guests would further disturb the peace of the local area.
- Increased noise would be distressing for residents, local livestock and wildlife.
- Existing Air BnB description advertises that this is a 'very quiet neighbourhood'.
- Due to the operation of an AirBnB at the proposed site that contravenes current planning laws, we have experienced extreme distress to ourselves and our animals by the guests. This has included excessively loud music being played, burnouts being performed on the property, increased vehicle movements at all hours and guests being loud and obnoxious. I believe this is a lie/exaggeration. I would hope these residents have proof as we have lived here the entire time the airbnb has been occupied and have not experienced any of the above and/or any excessive noise outside of the usual.
- Increased noise in the vicinity of our horse facilities from vehicle movements, guests, associated infrastructures - pumps, air conditioners etc will cause distress to our animals.
- The noise will disturb our right as neighbours to quiet time to rest and rejuvenate. This property was specifically purchased for the lifestyle that it offered and as a retreat from our careers in heavily people orientated areas. Our occupation means that we are often

on call or catching up on sleep during the day, after working all night. The location of the ecotourist facilities will have a dramatic impact on the ability to get essential rest.

### **Invasion of Privacy**

The below has been addressed.

- Compromised privacy with guests wandering around the neighbouring property. On several occasions, we have witnessed guests hanging over boundary fence lines and interacting with our pets and livestock. Their horses stick their heads over into our property (I have photographic evidence of this) and as such a guest (one time) walked up and was looking at the horse (all from within our boundaries). The screening plants will solve the issue of their horses being able to put their heads over our fence, but I'm not sure why this is our fault when we can't control when their horses look onto our property.
- Guests of 2 Charlottes Lane have turned up at our property at night unannounced and disturbed our peace and quiet. This is extremely distressing and will only be amplified by the addition of 4 more cabins on the site.
- Windows on the East elevation of the proposed development face our property and the cabins are located as close as 6.5m to our boundary. This is in direct violation of the SEPP which requires a minimum of 10 m as a setback to boundary fences.

### **Traffic**

This has been addressed.

### **Proximity to boundary**

This has been addressed.

### **Road**

This has been addressed.

### **Water**

This has been addressed

### **Septic**

This has been addressed

### **Phone Reception**

- Phone reception is poor in the area and this is noted in guest reviews on their AirBnB page (this was due to no internet access at the time, which is now available). If there is an emergency, medical, bushfire or otherwise, all occupants should have access to reliable



communications. During the 2020 bush fire period, the majority of local residents of Charlottes Lane and Carinya Lane, opted to evacuate due to the limited access along the 'right of carriageway' through Carinya Alpine Village and longside the river. As a proposed Eco Tourist facility, there should be an onus on providers to ensure safe access for residents so our access is not impeded by their guests. ○ C1.2-7 Provision of Services (b) The applicant must demonstrate that telecommunications (whether fixed line or mobile) can be provided to the site.

This has been addressed- we have a fixed house phone in case of emergencies. However there would be no issue with a 000 call from a mobile.

### **Waste Management plan - Rubbish removal**

The below has been addressed.

- Insufficient rubbish removal facilities exist in the local area. The nearby bank of bins located at the Jindabyne Rural Fire Shed have had their capacity increased multiple times as demand continues to increase. A commercial venture located at 2 Charlottes Lane would generate more waste than is able to be dealt with appropriately.
- Where will this waste generated by users of the proposed development be located until it can be dealt with? This has the potential to increase smell into the area and attract unwanted animals such as rodents. This is not documented on the proposals, yet is an important consideration and requirement in the SRDCP2013.
- In Jindabyne's frequent high winds, we have had waste blown across our paddocks from 2 Charlotte's Lane in the past, demonstrating an incapacity to deal with current levels of waste. This has negatively impacted us due to having to collect their waste and endangered our animals who may ingest the foreign material. This is such an unfair statement from an isolated incident. About 2 years ago, we had our trailer filled with our personal rubbish from moving to the property that we were going to be taking to the tip. It has a heavy duty canvas cover that completely seals it. Due to severe winds (we were still learning about how severe the winds get here) the entire canvas cover was ripped off the trailer. We went into the neighbours property and collected every last bit of the rubbish. It is not fair that these neighbours are exploiting anything they can to discredit and degrade our image. A note was left for them about this and it was an accidental mistake to which we rectified and have since learned from. Obviously these neighbours are not very understanding or tolerable.

### **Visual appearance**

This has been addressed.

### **Security and Safety**

The below has already been addressed. I would however request proof of these statements, as noted previously I believe these accusations are not necessarily the true depiction.

- Since 2 Charlottes Lane was established as an AirBNB/holiday letting location, we have had multiple instances of guests turning up at our house looking for the AirBnB property. This has

often occurred at night, prompting us to install some extra security measures due to how unsafe this has made us feel. We object to potentially having more people turn up on our property unannounced, driving down our driveway at speed. These experiences have been highly distressing.

- We have recently discovered that the Air BnB location map indicates that the property is located at our address. The correct address is only revealed after booking if confirmed as a security measure to the hosts, however it puts neighboring properties at risk. **That is not the case at all. The app shows a large circle radius that is an 'approximate location' it does not show a particular property at all.**
- Our estate is a hidden gem and unknown by even long term locals. By opening the area up to more tourist accommodation, we fear there will be an increase in crime.

### **Number of guests on property**

**Already addressed, again for some of these claims I would request proof.**

### **Existing Accommodation options**

- In the local vicinity, there is the existing Carinya Alpine Village providing a range of accommodation options as well as a heritage listed building providing interest in the location. Guests Carinya Alpine Village are managed effectively by the managers and are provided with extensive on site entertainment options. This means that their guests rarely end up in our residential area. We have never experienced an issue with a guest of Carinya Alpine Village which reflects positively on their management of the property.
- Proposed development site is already used as an AirBnB providing accommodation, difficult to gain clarification if this is a permissible land use under RU1 zoning.

### **Service deed - Water**

**Already addressed multiple times.**

### **Insufficient information provided in application**

**This was all provided in the Statement of Environmental Effects.**

### **Energy Rating Scheme for proposed cabins**

With low energy efficiency predicted prior to the build (only one cabin scraped in 5 stars out of 10 and it well documented that predicted performance is not an indicator of actual performance), there is little to suggest that these cabins meet perceptions of being eco friendly. Take into consideration that the plans specify that they will be constructed from new build shipping containers, you do not have a product that can classify itself as being good for the environment. **This is not true, there is an option of a new build shipping container or a re-purposed one for which we have opted for 're-purposed'.** This is before the extremes of our locality are taken into account. During winter these cabins would require extreme heating options, further adding to

the burden of the site and surrounding neighbours through increased noise from associated devices Again, not true. We have invested in upgrading all windows to be double glazed and also have all associated insulation appropriate for this climate. Due to the position of the cabins in almost full sun (providing warmth in winter) and planting around the cabins (providing insulation also) these cabins would be very efficient. Also, due to the small nature of the cabins, heating/cooling them- which are essentially one small room- would be extremely easy and would require a very small amount of energy. These cabins, due to their size, cannot be compared to the heating/cooling requirements of a house or even a small apartment. The main building material would only further accentuate the extremes of temperature we experience. Our mature trees would also mean these cabins are in shade for the majority of the day and would experience minimal solar heating during winter. Again, not true, the containers are in almost full sun all day. This would further require heating methods that are not accounted for in the plan. No mention of how the cabins will be powered. Proximity to our boundary and mature trees would make solar unsuitable, again limiting how these could be classed as an eco tourist facility. A diagram indicates that they are connected to power via a connection (like a caravan), creating approved electrical connections for this will require further site works that are not accounted for in the plan. This will lead to further disturbance of the site. Cabins will be hardwired into our 3-phase electricity box on established house. There will be minimal ground disturbance and no tree/vegetation removal is required

### Statement of Environmental Effect - Dated March 2020

I have not added all points from this section as the majority of it is just repetition of previous statements.

Pg 7 - Discussing the staging of the project We have made a point further up regarding the staging and leaving disabled access cabin until stage 2 plus further down, we have included detail relating to this point from an email shared at the Renwick Pty Ltd meeting where the developer shared their view that it is unlikely for this cabin to be constructed, therefore they do not meet the requirements of an eco tourist facility.

It was our understanding that in order to have an application for 4 cabins, one of those would understandably need to be 'disabled access friendly'. Despite all these efforts to discredit us, we are not trying to be sly or undermine the application process by putting through a "dodgy" application whereby we are approved for eco-tourism and then not uphold these values. This is not a matter of trying to "get away" with anything, we are simply following a staging process for when we have the funds to complete this. We are a relatively young couple (mid 20's and early 30's) and are simply not monetarily equipped to put all 4 cabins on at once. As the funds become available, we plan to continue with the staging process. We thought it might be a welcome relief that we do not plan to put all 4 on at once and we will monitor the impact the cabins have before putting the rest on, but there does not seem to be any reasoning or flexibility with these neighbours.

This image in the report does not accurately reflect the visual intrusion the cabins will create on the local area as it only considers one aspect from the street frontage.

*'The cabins will not have any negative impacts to the streetscape or locality in general. A large established row of conifers line the boundary of the adjoining property which will ensure the privacy of the adjoining property owners and visitors to the cabins will be Maintained.'*

**Note:** The large row of conifers suffered in the recent bush fire seasons and long standing drought, several have died and will need to be removed. Placement of the cabins should consider the impact if these conifers did not exist.

Privacy for our property is impacted by the proximity of the cabins located as close 6.5m from our boundary, with windows facing my property. We heavily dispute this claim. **As mentioned, a hedging row will be planted all along the boundary fence so it will not matter if these conifers are removed, there will still be maximum privacy. Cabin measurements from boundary have been updated and mentioned above.**

*'The rural character of the area will not be negatively impacted by the cabins. The cabins have been purposefully located so as to not be clearly visible within the rural landscape and sensitively designed to minimize any environmental impact.'*

**NOTE:** The cabins have been shoved up hard against our boundary and will impact on established land uses. Impacting our stables and horse facilities which are located on the other side of the trees. The cabins will intrusively overlook the main area and facilities we use on the property. **Already addressed with screening.**

*'The cabins are proposed to be setback a minimum of 17.8m from the side boundary.'*

**NOTE:** The most up to date version of the plan has them located 6.5m from our boundary, not 17.8 m as stated in this report. Rendering this environmental report invalid. **I believe an updated report was available and the resident is clearly aware of what the measurements were as they are addressed numerous times. These have since been updated to minimum 10 metres.**

#### Page 11 Views, Visual and Acoustic Privacy

*'The proposed development will not impact on adjoining, visual and acoustic privacy. The image below is the view west towards the mountains of the Kosciusko National Park and surrounding rural properties in the foreground. The location of the cabins will not create any negative impacts to views or visual and acoustic privacy.'*

**Note:** Fails to take into account our views or acoustic privacy as adjoining neighbours. Location of the cabins will negatively impact on our ability to enjoy our property and take advantage of the scenic location. Use of the property has already demonstrated it's capacity to be intrusive and inability to maintain acoustic privacy.

NORE: Nature of the eco tourist facility - tenuous links at best. There already exists better placed accommodation options for guests that wish to experience what the region has to offer, without upsetting the balance of the existing rural residential area by introducing a commercial venture.

Guests to the region can experience this elsewhere. A quiet rural residential area is not fit for a commercial operation.

"Not in my backyard" attitude. There is a major shortage of accommodation in Jindabyne and we believe proposals like this are a great help to that issue. There are many noted links to ecotourism throughout this proposal and we are definitely open to further ideas or ways in which we can improve or build on this.

**Traffic** - access to the development is by 2 easements on adjoining properties, the maintenance of the road is paid by the residents. More traffic will introduce more wear and tear on shared facilities, with the scope to increase danger to local road users. The car parking is jammed in between our boundary and the edge of the cabin, a space of only 6.5m, with no room to reverse safely. Between the 4 cabins and downstairs unit, this could be as many 10 cars on the site! Providing the accommodation guests don't invite additional guests to the facility, which does occur at other accommodation options. Traffic addressed too many times in this proposal. There is now over 10 metres from the fence line which is ample space. Downstairs will not be in operation and regardless, outside visitors are strictly prohibited and won't be tolerated.

Whilst eco tourist facilities are a permitted with consent option in the RU1 zone, please note that many other accommodation types are not permitted in this zoning and we see this as a deliberate attempt to circumvent the controls imposed on those types of accommodation developments. There is little to suggest from the supplied materials that this meets requirements or expectations of an eco facility.

Unfair, untrue statement that is deliberately trying to discredit us and what we are trying to do. The whole proposal shows how this development will be focused around eco-tourism and sustainably developing and maintaining a small eco-tourism accommodation venture.

Note: - Dominant view is across neighbouring farmlands and rural small holdings and up to range that is not the Kosciuszko National Park as described in the SEE

Note: View is across farmland and small rural residential blocks. Negligible view to Kosciuszko National Park. Development is not in keeping with established land uses.

The dominant mountains in the view are in the national park?

Note: - Additional OSWM facility will cause soil degradation as well as release possible pollutants into the water way. No information provided about renewable energy or water

sources, so it is hard to understand this statement of 'no negative environmental consequences', when in actuality they are quite significant to the local area.

Note: - OSWM and absorption trenches are indicated to be hard on the boundary for this restriction on use.

The water way is over 200 metres away. That is more than adequate to ensure there is not pollution/ run off etc. Yes the boundary has been used to determine where not to put trenches etc. this is why it is a boundary.

Note: - Waste generated during operation of the eco tourist facility will be considerable and has not been accounted for in any documentation. This has been addressed numerous times.

Note:- These cabins only received an average of 4.4 stars out of 10 according to the Nationwide House Energy Scheme supplied as part of the DA. The shipping containers are specified as new build shipping containers and are not recycled. The site will still require significant works to install the proposed OSWM system, electrical and water connections, so the reduction in carbon foot print is negligible. It notes that cross flow windows will allow for passive cooling. These windows face directly into my property and are invasive. There is no mention of the method to heat the cabins, which will be especially important during winter. There is no mention of how renewable energy sources will be supplied. The attached Basix documentation specifies no more than the minimum that is required in a build these days. They are recycled shipping containers. All development requires ground disturbance, I would imagine it is still less that all the ground that has been dug up at this neighbours property to install horse rings, sheds etc. The windows facing this property are small, horizontal windows purposely placed at the top of the container, these are above eye level and the only view that is eye level out of these windows would be the top of the row of conifers. There will be reverse-cycle airconditioners which are mentioned previously, as is the plan for solar on the main house to feed to the cabins. The basix may show the minimum but that cannot discredit us from going the extra mile to ensure the cabins are as environmentally friendly as is possible, which is very important to us.

### Key points from the email with our responses

**Staged development** - means the proposed DA is unlikely to meet requirements for an eco tourist facility as applicant states in the email that the disabled access cabin is unlikely to go ahead (see plans - in Stage 2). Explained above.

**Water Supply** - Information provided in email conflicts with other information provided in documentation which states cabins will be connected to main supplies. This email says they will be connected to rain water tanks. This is unaccounted for in the application, only adding to physical impact made by the cabins. Rainfall would be insufficient to supply the amount needed to maintain facilities, this is discussed further up in the document. Trucking in water as a water source is not very 'eco', adding to the carbon footprint associated with this development and will



provide further issues with the road and disturbance to residents through regular access by heavy vehicles. Addressed numerous times.

**Bin location** - Is not identified on plans and we fear these will also be located in close proximity to our property and attract undesirable animals, as well as pose an issue in Jindabyne's frequent high winds, as had occurred previously. They will be located away from this property. They will be sealed and locked to prevent unwanted pests, smells or blow away.

**Privacy** - Email acknowledges the importance of their privacy as well as the quiet nature of the local area. It also states they intend to add 'adding large privacy screens and privacy plantings'. There is no indication of this on the plans provided. This will add further to the impact of the cabins on the area and increase their physical footprint which is already in extreme proximity to our boundary.

Cabins are designed with windows that directly face our property and intrude on our privacy.

Addressed numerous times. I don't know how these neighbours claim to want privacy, then when we say there will be screening/planting, they still complain. Gardens and plants are an important and beneficial feature to any property and are important for the environment.

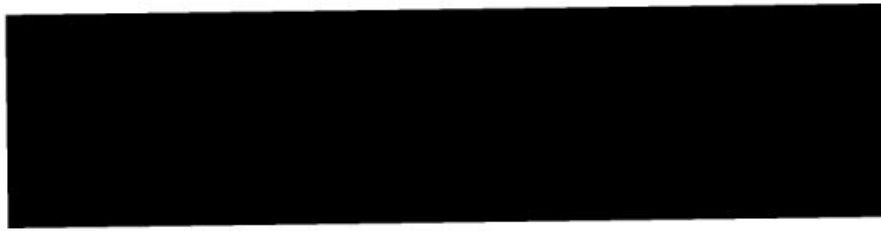
**Facilities** - Cabins will be located out of town and guests will be unable to prepare meals according to this email, this will require them to head into town to eat, causing further disturbance to local residents and issues with the road. Even the best of intentions from the applicant can't predict guest behaviour and has not catered for scenarios where guests congregate in large groups outside their cabins or invite over other visitors. There is a lack of information on facilities that will be provided to guests. The BASIX certification indicated a kitchen? Due to heightened accommodation demand in winter, guest movements to and from the property will be in contrast to that of the local residents, causing disturbance especially with early morning starts. They will have basic kitchenette facilities (microwave/kettle which is not unlike the station resort). Most of the residents have early starts year-round due to jobs etc. (with this residents movements all throughout the morning/night due to being on-call), this is just an exaggerated statement. Carinya poses the same issues as above. As mentioned previously, there will be a zero tolerance for any outside guests and each cabin has a maximum of TWO guests, no more are allowed to stay nor visit. This will be communicated with guests and enforced, we feel very strongly about this.

It is noted that 'this is just a little way for us to get some additional money to help with mortgage payments for when we make the permanent move here in the near future'. This suggests the Airbnb has been operating with little oversight from the hosts and that they are out of touch with the ambience of the local area and residents.

This was suggested to be written by Kim from Carinya to outline how this may help with our mortgage payments. We have more or less lived here full time for the last year and are definitely not out of touch with the local area.

Adding additional short term holiday accommodation to the site, will turn this location into a full blown commercial enterprise masquerading under the guise of eco friendly cabins. The comfort of their neighbours will hardly be a priority when they can earn top dollars in peak season. This will come at a cost to other residents in the area as explored above.

“A full blown commercial enterprise”. What an exaggeration and unfair statement. There is a maximum 8 guests for this development, unlike 50 metres down the road with an occupancy of 100 people (to which this business has been praised by this same resident). It is unfair to claim our neighbours and local community will hardly be a priority to us when we can earn “top dollars” in peak season. This is ill-natured and it will most definitely be a priority for us. We need to live here for a long time with our neighbours, our guests don’t. It is most definitely a top priority for us.



To Town Planner Sarah Brown,

In regards to development number 10.2020.135.1. Proposed development- New Eco TOURIST facility at 2 Charlottes lane, Jindabyne 2627(Lot 9 DP 861805 ph Abington

We are sending this notice objection to proposed development

Reasons being, clearly land is zoned Rural resident and said land can not be used to support commercial business. The proposed buildings are for holiday letting as stated on the site plan. Eco-Tourist by definition on the Monaro council website is a commercial venture. Which is supposed to support education, hands on activities and have special ecological or cultural features. None of these features are evident on the proposed site plan or relevant to rural surroundings.

Please consider our objection to proposed Tourist development, and to maintain a rural residual community without change to zoning rules.

Declaration from Letecia and Robert Cooke that we do not have a financial interest in this development or made a political donation or gift within 2 years.



Lot 9 DP861805



16<sup>th</sup> November, 2020

The Planning Officer

Snowy Monaro Regional Council

Cooma. NSW 2630

Dear Sir,

We wish to object to the proposed DA currently before Council for the erection of four cabins on the property known as number 2 in nearby Charlotte's Lane.

Our reasons for this are as follows:

- Use of these cabins is intended for tourist accommodation as a commercial enterprise operating within a private residential housing estate. It will thereby cause noise and extra traffic to and from the private road from Snowy Valley Way to the site. This road is a single lane, partly unsealed, private right of way and not designed for traffic generated by commercial activities. Who would be responsible for maintaining the road? Council or the rest of the other permanent residents on the estate? Dust and noise generated by increased traffic will have a detrimental effect on the peaceful enjoyment of residents in the estate. Arrival and departures of customers late at night and early in the morning will impact other residents. My property is adjacent to the road and will be negatively impacted by traffic noise and lights at night.
- Is the applicant a registered business holding relevant insurance to operate. Who is responsible / liable for the actions of customers and any resulting damage to either private or common property on the estate?
- The listed " Permitted with consent " developments are council guidelines not specific to this estate which is zoned Rural Residential.
- Use of the right of way, owned by all residents, would require approval by Renwick.

- There is a restriction in the original deed of no more than nine dwellings in the estate and this has already been reached. This is a residential estate not intended for use by commercial operations.
- Water from the Mowamba River is privately pumped via Carinya Alpine Village to the existing tanks on the hill which are on part of our land. A commercial activity would not have access to this system which is intended for existing permanent residents only. The members of Renwick would need to agree to supply water to to any additional premises. The water supply to the proposed development should form part of the DA and approval.
- The application lists the water supply as Tank Water. How are these tanks filled? The water supply from the river is not for consumption. It is not suitable for drinking, or even brushing of teeth.
- Where would sewage go from these cabins – there is an exclusion zone downhill from the site to the river? Any excess run off or spillage from the planned septic system will go into Steels Creek which feeds into Mowamba River, contaminating the water supply. The proposed site for the waste water disposal trenches is on sloping ground. Overflows or spillage will result in runoff into adjacent waterways.
- The existing garbage service requires residents to use the bank of bins at the fire station and is already totally inadequate. It would not be able to service a commercial activity such as this. The removal of garbage from a commercial operation using private contractors would also involve increased traffic and noise, most likely from heavy vehicles. The Statement of Environmental Effects list Waste Management as Not Applicable. How is the waste generated from this development to be managed?
- The increase in people entering the estate creates uncertainty and security issues for the other residents in a place where everyone knows each other.

### 3

#### **RU1 Primary Production – Objectives of Zone:**

- *To encourage sustainable primary industry production by maintain and enhancing the natural resource base.*
- *Rates notices denote Rural Residential as current zoning*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *This development is NOT appropriate primary industry for area*
- *To minimise the fragmentation and alienation of resource lands. ???*

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *This development is not suitable within zoning. Will create conflict of primary land use ie; Rural Residential*
- *To promote tourism, educational and recreational development and living opportunities that are compatible with agricultural activities and the environmental, historical and cultural values of the land.*
- *This development is not compatible with the existing primary use of the land which is a rural residential estate.*

We know that the enjoyment of our land will be detrimentally affected by the erection of these buildings and their subsequent use and therefore instruct council not to pass the DA. According to rate notices the land here is currently zoned rural residential.

This development is solely for the financial gain of one resident at the expense of all other owners in the estate. It would be better suited to a location not situated in a rural residential private estate.

The proposed dwellings, designed for short term accommodation are not in keeping with the rural residential aspect of this estate and detract significantly from the value of all properties within the estate and especially from the value of the immediate neighboring properties.

The proposed development detracts from the quiet and peaceful lifestyle of all residents at Carinya Estate and I wish to object in the strongest possible terms.





DA-10.2020.135.001



29 November 2020

Chief Executive Officer  
Snowy Monaro Regional Council  
PO Box 714,  
Cooma NSW 2630

By Email: [planning@snowymonaro.nsw.gov.au](mailto:planning@snowymonaro.nsw.gov.au)

**RE: DEVELOPMENT APPLICATION – DA-10.2020.135.001**  
**Proposed ECO Development, 2 Charlottes Lane, Jindabyne**

Dear Sir,

I refer to the above development application for the New Eco-Tourist Facility - Four (4) Pre Fabricated Cabins to be constructed at 2 Charlottes Lane.

I am a local resident, and one of my property boundaries is very close to the location of the proposed Cabins.

Carinya Lane, (a private road), which is the only vehicular access to the proposed development area, runs through my property from the entry point off The Snowy River Way.

I have examined all the publicly available plans and reports which accompanied the development application. I note that the development proposes up to four cabins plus the associated infrastructure to support the proposal.

I wish to object strongly to this particular development in this location for the reasons set out below.

- **Impact on Carinya Lane, should this application proceed in its current form**

All the Residents living in our small “village” will now be subject to excessive traffic, pollution and noise from additional vehicles using both Carinya and Charlottes Lanes.

Carinya Lane was never designed to handle a large number of movements per day, and that will now be further added to by even furthermore tourist development.

We all pay into a fund to help maintain and manage our private road, and despite the fact we all pay very high Council Rates, there is absolutely no financial or other assistance from Council, to help us maintain these roads, which during periods of the ski and fishing seasons have to carry much greater loads of a more “Commercial” nature.

Additionally, as I graze stock on my land either side of the lane, additional vehicle traffic by people unaware of the limitations associated with country/livestock driving conditions, create additional risks to themselves and my stock, particularly as they tend to ignore our posted 40 km/h and 15 km/h speed limits.

Many of the local kids use the Lanes to walk to and from the school bus, ride their bicycles, walk to the river to swim and ride their horses.

Additional vehicle traffic will create more hazards in what is currently a safe environment!

- **WASTE MANGEMENT**

The “Bank of Bins”, which we residents pay Council for, and are located at the intersection of The Snowy River Way and Carinya Lane, have recently been added to due to demand, yet are still inadequate to cater for the surrounding areas current demand!

Additional waste generated by this and other developments will only add to this problem.

As it is now, I often have to return my waste to home, then call Council asking for them to be emptied.

This places an extra burden on the Ratepayers in the area.

- **USE OF A SHIPPING CONTAINER AS ECO FRIENDLY CABIN**

How is it possible that a converted Commercial “Shipping Container” produced by Black Fly Containers Pty Ltd, is classed as an “Eco-Friendly” Eco Cabin?

Our local area seems to be faced with this continual increase in the use of containers for storage and cheap housing of a permanent nature.

They are unsightly, and regardless of what colour you paint it to match the surrounds, it is still nothing more than “Mutton dressed as Lamb”!

This particular design is particularly unattractive, and the proposed location, coupled with the roof design, will lead to noise generation created by the prevailing south west and northwest winds.

- **SOLAR ACCESS AND OVERSHADOWING**

The overshadowing of properties to the East will be detrimental. The proposed cabins located very closed to the Eastern fence line. The development application does not provide sufficient detail to allow residents and Council to properly assess the impact on their properties.

- **OVERLOOKING FROM THE CABIN REAR WINDOWS**

This will result in significant overlooking, loss of privacy and noise for neighbouring homes. It looks directly at the neighbours property.

- **NOISE**

This proposal will result in excessive noise from additional traffic and four air conditioning units on neighbouring homes. The open-air deck area and large balconies will also result in excessive noise on neighbours. There is screening proposed, but no details provided.

The air conditioners will most likely be used all year round, and the four outdoor units are attached to one end of each of the containers.

◦ **SECURITY and PRIVACY**

As it is now, we residents are concerned by the number of unwanted visitors we receive. I personally have experienced vehicles and people driving up my 700-meter driveway, which is clearly marked as "Private Property, DO NOT ENTER", at various times of the day and night.

Some "guests" are arriving very late in the evening or very early morning, and this does create a security issue.

There are other B&B's in this area that either do not provide proper directions to their guests, or unclear directions that cause this unwanted issue.

I purchased my home here, and pay my rates for my Farm, for the associated peace, privacy and scenic vista it brings, as did all my neighbours. Not to be a local accommodation guide and traffic cop.

I look forward to your reply.

Yours Sincerely





Town Planner  
Ms Sarah Brown  
Snowy Monaro Regional Council  
Cooma NSW 2630  
([council@snowymonaro.nsw.gov.au](mailto:council@snowymonaro.nsw.gov.au))

29<sup>th</sup> November 2020

RE: Proposed development 10.2020.135.1 (2 Charlottes Lane, Jindabyne, NSW, 2627)

Dear Ms Brown

The above proposed development raises a number of concerns with respect to the future quality of life for the residents who own properties in the proximity of the property in question. The decision to live here was made because it offered a rural setting that would not be overdeveloped.

We have seen a significant increase in traffic in recent years which has highlighted the following problems:

- Non adherence of speed limits and other instances of dangerous driving is of particular concern given that the roadway is single carriage only. There have been a number of near misses and it is only a matter of time before a serious accident occurs. Unfortunately, the death of local wildlife has also been a result of speed and unfamiliarity with the area.
- There have been incidents of tourists searching for their accommodation late at night and driving into various properties including ours, shining high beam lights into the windows. When asked what they were doing, it transpired that they were booked into an Air B&B operating from the property now intending to increase accommodation in the same location.

We note that the applicants have indicated that they would have a manager on site whenever there are occupants. This has not always been the case to date so we remain unconvinced.

The road is a significant issue and cannot be ignored in the process of reviewing this application. The lower half of the road was designed for the patrons of the Carinya Alpine Resort and residents, while the upper half of the road was designed for those residents living above the Carinya Alpine Resort.

**THE ROAD WAS NEVER DESIGNED FOR ADDITIONAL ACCOMMODATION AND WOULD NEED A SUBSTANTIAL UPGRADE TO ACCOMMODATE THE PROPOSED DEVELOPMENT (AND FUTURE DEVELOPMENTS THAT WOULD UNDOUBTEDLY OCCUR ONCE A PRECEDENT IS SET).**

**THIS IS AN IMPORTANT SAFETY ISSUE AND NEEDS TO BE ADDRESSED IN FULL BY COUNCIL BEFORE ANY SUCH DEVELOPMENT APPLICATION IS APPROVED.**

It is difficult to understand how a commercial enterprise can be given permission to operate in a locality designated as 'Rural Residential'. There has been some talk that conditions have been introduced to allow for the development proposed. If this is the case given the gravity of such changes, Council needs to explain why the long-term residents were not informed in writing of such changes.

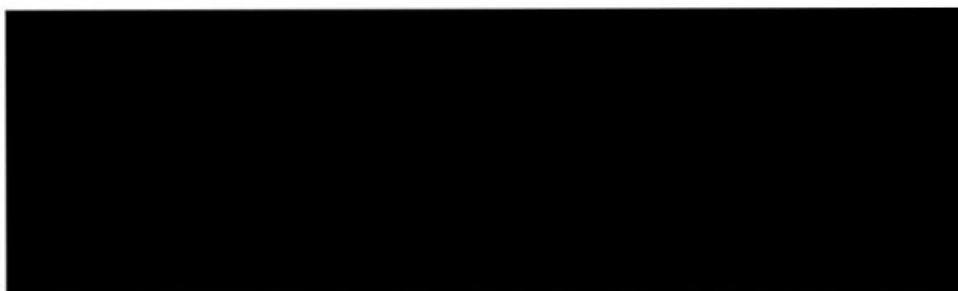
We are now concerned, that should this development application be successful:

- The quality of life we presently enjoy will be eroded (it is of note that the long-term residents chose this location to be able to enjoy a more peaceful environment than afforded by the township particularly during winter);
- To accommodate additional traffic, the road will need to be significantly upgraded to make it safe for the additional traffic; and
- The potential for a precedent to be set is significant and could lead to a number of other applicants wanting to build such tourist facilities thus exacerbating the issues we allude to.

In assessing this development application, we would request that the planners concerned would address the following questions:

1. is it fair that the applicants' desire to further their financial situation be allowed to proceed even though it would impact negatively upon the surrounding residents?
2. Is Council prepared to take on the funding of the road upgrade and ongoing maintenance of the road as a result of the decision they have made?
3. How does Council propose to police whatever conditions are put on this development should it be successful?

We hope that serious thought will be given to the concerns we have raised as this decision has the potential to negatively affect the peacefulness of the area and the pleasure we derive from living here.









16th November 2020

To whom it may concern,

Thank you for notifying us about the New Proposal noted below

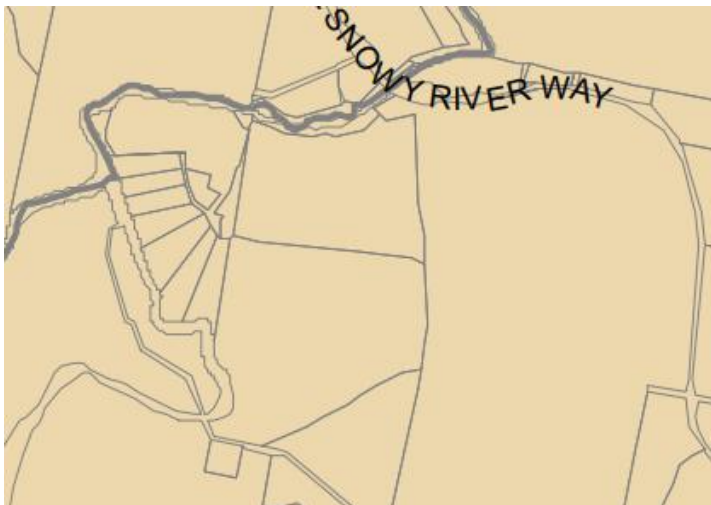
<b>Proposed Development</b>	<b>New Eco-Tourist Facility - Four (4) Prefabricated cabins</b>
<b>Property Description</b>	<b>2 Charlottes Lane JINDABYNE 2627</b>
<b>Applicant's Name</b>	<b>B M Grenfrell</b>
<b>Application Number</b>	<b>10.2020.135.1</b>
<b>4.6 Variation applied for</b>	<b>Not applicable</b>

We wish to **strongly object** to the above development application.

The following reasons form the basis for our objection:

### **Zoning**

Please note the land use zoning for the area - RU1. The block is one of 8 small lots located in the area known as Carinya. These lots are smaller than the minimum recommended lot size in AB5, which is minimum 40ha blocks, this also suggests that the 'permitted with consent' land uses are also incompatible with the lots due to their smaller size. Access to the lots is provided across 2 properties along private road, whose upkeep is managed by Renwick Pty Ltd, who also provide water services to the blocks.



Zoned as RU1 Primary Production - Land Zoning Map - Sheet LZN\_003

<https://www.legislation.nsw.gov.au/view/pdf/map/8331b226-9941-4843-9cf7-8ec42de04574>

We have referred to the Snowy River Local Environmental Plan 2013 for guidance on permissible land uses. We have highlighted the Eco Tourist Facility and I have highlighted other accommodation options that are permitted under the RU1 zoning and classed as 'Permitted with Consent'. Eco tourist Facility has been deliberately chosen to circumvent other tourist accommodation options and the associated stringent controls. This is explored in more depth further on.

Putting the word Eco in front of the word cabin does not make it an eco tourist facility. Especially when the supporting documentation is unable to address how they meet the most basic requirements. This is addressed later in this submission.

#### Zone RU1 Primary Production

##### 1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To **minimise conflict between land uses within this zone** and land uses within adjoining zones.
- To promote tourism, educational and recreational development and living opportunities that are compatible with agricultural activities and the environmental, historical and cultural values of the zone.
- To ensure that development maintains and **protects the scenic values and rural landscape characteristics** of the zone through compatible, small-scale development.

##### 2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

##### 3 Permitted with consent

Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; **Bed and breakfast accommodation**; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; **Camping grounds**; **Caravan parks**; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Crematoria; Depots; **Dual occupancies**; **Dwelling houses**; **Eco-tourist facilities**; Educational establishments; Environmental

facilities; Extractive industries; Farm buildings; **Farm stay accommodation**; Flood mitigation works; Forestry; Funeral homes; Garden centres; Helipads; Home-based child care; Home businesses; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Timber yards; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures; Wharf or boating facilities

#### 4 Prohibited

##### Any development not specified in item 2 or 3

Information provided by the **Snowy River Local Environmental Plan 2013**.  
[https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0700#pt-cg1.Zone\\_RU1](https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0700#pt-cg1.Zone_RU1)

Part 5 Miscellaneous provisions provides further information on a Eco Tourism facility. I have highlighted key statements for consideration.

#### 5.13 Eco-tourist facilities

(1) The objectives of this clause are as follows—

- (a) to **maintain the environmental and cultural values of land** on which development for the purposes of eco-tourist facilities is carried out,
- (b) to provide for **sensitively designed and managed eco-tourist facilities** that have **minimal impact on the environment** both on and off-site.

(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.

(3) The **consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that—**

- (a) there is a **demonstrated connection between the development and the ecological, environmental and cultural values of the site or area**, and
- (b) the development will be **located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment**, and

- (c) the development **will enhance** an appreciation of the environmental and cultural values of the site or area, and
- (d) the development will **promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal**, and
- (e) the site will be maintained (or regenerated where necessary) to ensure the **continued protection of natural resources and enhancement of the natural environment**, and
- (f) **waste generation during construction and operation will be avoided** and that any waste will be appropriately removed, and
- (g) the development will be **located to avoid visibility** above ridgelines and against escarpments and from watercourses and that any **visual intrusion will be minimised** through the choice of design, colours, materials and landscaping with local native flora, and
- (h) **any infrastructure services to the site will be provided without significant modification to the environment**, and
- (i) **any power and water to the site** will, where possible, be provided through the use of **passive heating and cooling, renewable energy sources and water efficient design**, and
- (j) **the development will not adversely affect the agricultural productivity of adjoining land**, and
- (k) the following matters are **addressed or provided for in a management strategy** for minimising any impact on the natural environment—
  - (i) measures to remove any threat of serious or irreversible environmental damage,
  - (ii) the maintenance (or regeneration where necessary) of habitats,

(iii) efficient and minimal energy and water use and waste output,

(iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,

(v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.

Information provided by the **Snowy River Local Environmental Plan 2013**.  
<https://www.legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0700#sec.5.13>

The dictionary from the Snowy River LEP 2013 provides further clarification on the term eco-tourist tourist facility.

**eco-tourist facility** means a building or place that—

- (a) provides temporary or **short-term accommodation to visitors on a commercial basis, and**
- (b) is located **in or adjacent to an area with special ecological or cultural features, and**
- (c) is **sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.**

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

**Note—**

See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

The proposed development does not meet the requirements to be classified as an Eco Tourist Facility due to its inability to meet the basic requirements as defined by the LEP.

Other definitions for tourist and visitor accommodation from the LEP are provided below. We have bolded the ones that are Permitted with Consent in the RU1 zone.

**Further definitions for :-**

**tourist and visitor accommodation** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
- (b) **bed and breakfast accommodation,**
- (c) **farm stay accommodation,**
- (d) hotel or motel accommodation,



(e) serviced apartments,

**but does not include—**

(f) camping grounds, or

(g) caravan parks, or

(h) eco-tourist facilities.

Property is currently used as a Air BnB. Which accomodation type is this classified as? We did reach out to council for clarity but have yet to hear back - email dated 17/11/2020.

When researching the development controls for other types of accommodation facilities, we noted that there does not appear to be the same rigorous planning control exerted on an eco tourism facility as there is with other accommodation options, examples include providing a 110 litres of potable water per guest, limits to the number of lettable bedrooms. We believe the development has been calculated as an eco tourist facility when it is in fact more closely aligned with the definition in the LEP as a serviced apartment:-

**serviced apartment** means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

**Note—**

Serviced apartments are a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

Or as hotel motel accommodation:-

**hotel or motel accommodation** means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that—

(a) comprises rooms or self-contained suites, and

(b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

**Note—**

Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

**Both of which are not permitted with consent uses in the RU1 zone.**

### Exploring the Snowy River Development Control Plan 2013

By classifying the development as an eco tourist facility and not one of the other accommodation options mentioned above, the DA 10.2020.135.1 attempts to circumvent the stringent controls associated with providing those short term accommodation types. The accommodation option more closely matches the description for serviced apartments as defined by the Snowy River Development Control Plan 2013 (SRDCP2013)

"Serviced Apartments" are a form of "Tourist and Visitor Accommodation" and are defined in the Snowy River LEP 2013: "serviced apartment means a building (or part of a building) providing self- contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents".

Please note that this service is currently being offered by the applicant using the existing dwelling as an AirBnB. With new guidelines and regulations being implemented to guide the use of AirBnB as described in the [Code of Conduct for Short term Rental Accommodation](#). How will this new development be monitored? As neighbouring residents, we have been impacted by use of this property as an AirBnB and because of this, we do not want to see further development on the property which exponentially increases the issues experienced by the property being further expanded and used for short term holiday letting.

Further information on the classification and definition of an eco tourism facility and associated planning controls can be located in the **Snowy River Development Control Plan 2013** (known as SRCP2013)

[https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub\\_pdf/DCP-CP/SNOWY+RIVER/SR+LEP+2013+Amendment+1\\_S-366.pdf](https://shared-drupal-s3fs.s3-ap-southeast-2.amazonaws.com/master-test/fapub_pdf/DCP-CP/SNOWY+RIVER/SR+LEP+2013+Amendment+1_S-366.pdf)

It should also be noted that an eco tourist facility should consider Part B Rural Localities, towns and Villages, Part C General Planning Considerations and Part E Non Residential E1

Summary Matrix Table

Key Land Use Types <sup>1</sup>	Snowy River DCP 2013										
	Part A Introduction	Part B Rural Localities, Towns & Villages	Part C General Planning Considerations	Part D Residential	Part E Non Residential						Part F Specific Sites & Localities
					E1	E2	E3	E4	E5	E6	
<b>AGRICULTURE</b>	✓	✓	✓			✓					②
Animal boarding or training establishments	✓	✓	✓								②
Farm buildings	✓	✓	✓			✓					②
<b>RESIDENTIAL ACCOMMODATION</b>	✓	✓	✓	✓							②
Home based child care	✓	✓	✓								②
Home business	✓	✓	✓								②
Home occupations	✓	✓	✓								②
<b>TOURIST &amp; VISITOR ACCOMMODATION</b>	✓	✓	✓		✓						②
Camping grounds	✓	✓	✓		✓						②
Caravan parks	✓	✓	✓		✓						②
Eco-tourist facilities	✓	✓	✓		✓						②
<b>BUSINESS PREMISES</b>	✓	✓	✓				✓				②
<b>OFFICE PREMISES</b>	✓	✓	✓				✓				②
<b>RETAIL PREMISES</b>	✓	✓	✓				✓				②

The **Snowy River Development Control Plan Part B**, under Settlement patterns, refers to the Carinya area as one of

**‘3 rural residential estates and a significant amount of rural living areas or small lot subdivisions** (Carinya, McGuffickes Hill, Eagles Range, Mt Gilead, West Lynne, Steele, Gullies Road, Parrots Run, Knellers, Copperfield, Geikle Hill, Top Hill, Brumbies Hill and Glenrowan). ‘ Pg 34

**This development is in contrast to the established character and settlement pattern of the area and will have significant impact on residents.**

And Principle 6 states that

Principle 6: The **integrity of the rural residential communities, small villages and the township needs to be maintained**, however there needs to be linkages.

**The proposed development is not in keeping with these main ideas.**

We have made note of **Part C in particular** and bolded relevant points.

## 1.2 Design Considerations

'In preparing designs for subdivision, due regard must be had for a number of factors including **environmental impact, residential amenity and safety**. Every subdivision application lodged with Council will need to demonstrate that the following matters have been taken into consideration in the design of the subdivision: '

Solar access to and from site	Solar access is impeded by the placement of cabins. Extending the adjoining property into an extended period of shade. Cabins will be in shade from the established trees, adding further burden on requirements for heating and cooling.
Views to and from site	Views are impacted by the location of cabins - see current view
Privacy (acoustic and visual)	Area is extremely quiet, distances between dwellings aid visual and acoustic privacy. Visual privacy will not be able to be maintained by adjoining properties by the proposed DA. Guest movement, vicinity will intrude in the residents daily use and enjoyment of the property.
Overshadowing	Cabins will overshadow the adjoining property.
Vegetation removal required	Unknown
Excavation and fill required	Unknown - but likely to occur due to inclusion of new driveway and parking facilities to accommodate guests. Excavation required to connect cabins to sewage tank.
Effluent disposal techniques	Document provided which adds an additional OSWM unit to the property, further burdening the land and surrounding areas with effluent smells in prevailing winds. DA includes the OSWM documentation which indicates the absorption trenches are hard up against the 'Restriction on land use' boundary that applies to the block.
Access to water	Not described in supporting documentation. Applicant supplied email to Renwick Pty Ltd stating intent to connect to rainwater tanks and truck in water. No mention on plans. Non potable water is provided to lots via easement, Renwick Pty Ltd is setup to invoice residents for water and road maintenance.
Stormwater disposal, including impacts on upstream and downstream properties, waterways and lakes	No discussed in supplied documents. No topographic map supplied to demonstrate the grade of the land. Land falls towards Steels Creek.
Easements, rights of carriageway and access arrangements	DA is accessed via the Right of Carriageway across multiple properties. Easement for water is also across multiple lots. Maintenance and supply is through Renwick Pty Ltd.
Prevailing winds	Prevailing winds have carried noise, smell and waste across our property from 2 Charlottes Lane.
Pedestrian and vehicle access	Safe access to the private road is enjoyed by residents, who ride bikes and horses in the area. Vehicle access is along a private road that is maintained. Increased vehicles will accelerate the degradation

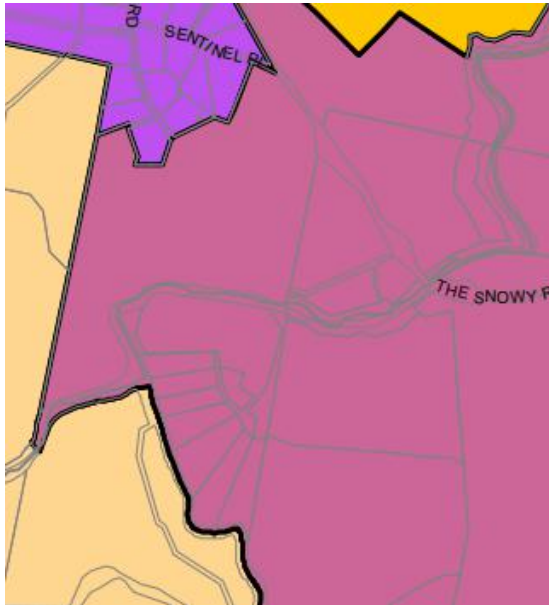
	of these shared facilities.
Significant noise sources on or around the site	Significant noise disturbances have already been experienced by residents caused by guests staying at 2 Charlottes Lane. This will only be compounded by additional cabins on the site.
Contaminated soils Location and height of neighbouring buildings	Location of neighbouring buildings are well set back from the boundary in compliance with RU1 side setbacks.
Heritage features of the site and adjoining sites	Heritage site on adjoining property not mentioned.
Surface levels of the land and adjoining sites	No topographic information provided.
Levels of existing road pavement, gutter and footpath	No mention of the private road facilities managed by residents.
Bushfire hazard potential	No mention. Of concern is increased risk to neighbouring properties due to the location of the cabins in proximity to the boundary. As well as water supply issues that have not been accounted for in the DA.
Accessibility to services	Area is hidden, visitors often get lost locating Charlottes Lane due to access being proved through adjoining properties. There is a lack of mobile phone reception in the area, which has safety implications for potential guests.

Below the bolded points highlight how the proposed development fails to meet Snowy River Development controls and we have included our notes underneath.

### Chapter C - General Subdivision Considerations

C1.2-1 Minimum Subdivision Lot Sizes The minimum subdivision lot sizes are identified in the Snowy River LEP 2013 and the accompanying Lot Size Maps.

**NOTE: After participating in the Council's Draft Land Use Strategies Discussion with Brooke Davey on 25/11/2020, we are aware that our lot sizes are smaller than the recommended lot size in the area currently zoned as AB5 - minimum lot size 40ha. We ask that this is taken into consideration as this further development will exert more pressure on the local area and residents. Just as an airstrip is a 'permitted with consent' land use in the RU1 zone, it would not be considered a viable development on these smaller blocks, we urge you to apply the same reasoning to an eco tourist facility.**



Current Minimum Lot size Snowy River LEP - <https://yoursaysnowymonaro.com.au/62136/widgets/313355/documents/184379>

#### C1.2-4 Flora and Fauna Protection

(a) If the subdivision includes any land significant for flora and fauna protection a targeted survey for threatened species must be carried out and an assessment of significance prepared by a suitably qualified person demonstrating that the subdivision will not have an adverse effect on flora and fauna.

(b) The aquatic environment must not be detrimentally affected by subdivision and the proposed future use of the land.

Property is accessed via an easement which follows along Mowamba River and is located alongside an established platypus habitat, as well as home to lots of other native animals including wallabies, kangaroos, wombats, lizards, snakes, black cockatoos as well as many more. This has not been accounted for in the documentation.

The platypus is under extreme pressure due to climatic changes, extended period of drought and developments which all further degrade water quality. Further development in this area will exert undue pressure on this vulnerable species. Scientists are pushing for it to be recognised as threatened species due to declining populations.

The ACF, WWF-Australia and the Humane Society International have now officially nominated the platypus as threatened under both federal and NSW environment laws.

<https://www.sciencedaily.com/releases/2020/01/200121112922.htm>

<https://www.abc.net.au/news/2020-11-23/research-shows-platypus-under-threat-as-koalas-get-new-funding/12910412>

#### C1.2-7 Provision of Services

‘(b) The applicant must demonstrate that telecommunications (whether fixed line or mobile) can be provided to the site. ‘

There are documented issues with mobile phone reception in the area, coverage is patchy and unreliable. This will put guests at risk.

#### C1.2-8 Access

(a) The subdivision must not create additional riparian access rights to streams, creeks, rivers or other waterways.

(b) All allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Councils development design and construction specifications.

Note: detailed requirements for access are contained in Chapter C3 Car Parking, Traffic and Access.

Note: A ‘Riparian access right’ is a water right held by rural landowners for domestic, onfarm purposes. Riparian rights allow landowners whose property is adjoining to a body of water to make reasonable use of it, for purposes such as drinking water, domestic use and fishing. It does not relate to pedestrian access or recreation.

Development will create additional requirements for water use, either through the cabins or indirectly by providing services at the main dwelling for washing linen, increased property maintenance requirements etc.

Water provided to site is via easement across properties and is not potable. Our shared Riparian rights will be impacted and existing residents disadvantaged by the addition of a commercial enterprise at 2 Charlottes Lane.

### 4. Tourist Development Subdivision

#### 4.2. Objectives

The key objectives for the subdivision tourist and visitor accommodation or eco-tourist facilities are:

- To ensure that tourist and visitor accommodation and eco-tourist facilities are not changed to residential use as a result of subdivision.
- **To avoid demand or expectation for Council services and facilities which are not typically provided in the rural tourist environment.**
- To ensure that the subdivision will be secondary to the tourist development and will only be considered following successful construction, establishment and operation of the tourist development.

The development will increase demand for council services in the area.



## C2 Design

### 1. Visual and Scenic impact

#### 1.3. Visual Character Controls

##### C2.1-1 Visual Landscape Character Assessment

It should be considered that this DA will visually dominate the area as it can be seen from the road and by adjoining properties.

The development does not reflect the settlement pattern of the immediate area.

No consideration the DA application 10.2020.135.1 has been given to the impact that the cabins will have (constructed from material inconsistent with the local area) or the impacts of ancillary uses such as extending the driveway, adding additional carparking and provision of other amenities to the cabins sites, eg air conditioners, rainwater tanks, additional guests, sewage lines etc.

#### 1.4. View Sharing Controls

Existing view corridors from our property are impacted by the inclusion of an eco tourist facility at 2 Charlottes Lane. No assessment provided on potential view impacts on neighboring dwellings. Cabins are located as close as 6.5m to our side boundary, in an area that is adjacent to our main outdoor facilities on our property and doesn't account for the loss of privacy we will experience.

### 2. Crime Prevention Through Environmental Design

Increasing the number of tourists in the area increases the capacity for crime to occur. Local residents look after each other and are able to identify abnormal behaviours in the area. This provides us with a sense of security and safety that will be eroded by the proposed DA.

No mention in the DA of a lighting plan, additional lighting associated with the DA will further intrude on our sense of privacy and seclusion as well as interfere with an established photography hobby, documenting night sky features that we enjoy on our property, by increasing light pollution levels. Our understanding of C2.2-2 Lighting is that all communal and service areas must be well lit. This will cause further issues with our ability to enjoy our property.

Due to guests at 2 Charlottes Lane Airbnb turning up at our property during the night, we have had to get quotes for additional security measures. These incidents are quite alarming and will occur more frequently with the inclusion of additional tourist accommodation.

### 3. Vehicle Access

Access to the proposed DA is by Right of Carriageways across multiple lots. These facilities are maintained by residents. Residents should not be burdened with extra costs associated with the DA. We are trying to uncover where the second bushfire/egress route exists for the lots in Carinya, as the recent bushfire season highlighted that one road in, one road out could easily become compromised in an emergency.

Development of the eco tourist facility will cause road deterioration, in addition to the increased usage by guests at the facility.

### 5. Car Parking

Under Objectives it states

'To ensure that the location and design of car parking does not result in detrimental effects on the streetscape and adjoining or nearby properties.'

Other than a small illustration showing intended parking for the cabins and proposed driveway. There is no other information provided. Impacts not considered include the proximity of the driveways and car parking spaces to the property boundary. This will have negative impacts for us as adjoining neighbours due to increased guest movement in this vicinity, noise from vehicles, not just engine noise, but the opening and shutting of doors, accessing vehicles for luggage etc, it appears from the basic diagram provided, guests will have to reverse to the turning circle past the cabins and then perform a 3 point turn to exit the property. This is unsafe for other guests and has a high potential of property damage to our boundary fence line, which is critical to containing our horses.

No mention is made about the materials used to construct the driveway or car parking, so it is hard to comment on in detail. With eco tourist facilities needing to ensure access for disabled guests, it appears that no provisions have been made for access from the designated car parking space and the disabled access cabin.

With each cabin accommodating 2 adults, there is the potential for 8 vehicles in addition to the vehicles for guests using the air bnb, (another 8 guests) and the property residents who will need to be onsite as managers. This has not been accounted for in the DA proposal. The volume of vehicles onsite plus the associated movement of the vehicles will have significant impact on the local area through noise, disturbance to visitors, wear and tear on the roads. **It is also stated on Page 72 that the development of an eco tourist facility should be supported by a traffic assessment. This has not been provided.**

## **C5 Tree Preservation & Landscaping**

### **2. Landscaping**

No landscaping plans available on the DA Tracker.

## **C6 Signage & Advertising**

No information provided.

## **C8 Environmental Management**

### **1. Minimising Conflicts**

#### **1.1. Background**

**Conflict can arise in rural areas between agriculture, rural industry and some residential and tourism uses. Anecdotal evidence suggests the potential for conflict where tourism uses have been permitted along rights of carriageway across adjoining farm land, or on dirt roads not property designed for commercial uses. In small rural holding subdivisions the close proximity of tourist uses to residential uses can also be a cause of conflict related to the increased vehicle movements and noise associated with holiday makers. This is an issue that needs to be addressed with the location of future *tourist and visitor accommodation, eco-tourist facilities and residential accommodation*.**

**NOTE: This statement highlights the key concerns that residents have in regards to DA10.2020.135.1. Resolving these conflicts is not addressed in the proposed DA 10.2020.135.1**

#### **1.2. Objectives**

The objectives in relation to avoiding conflict between uses within rural areas are

- **To avoid development where it will limit or jeopardize the future use of adjoining land for preferred existing rural uses.**
- **To locate tourist and visitor accommodation, eco-tourist facilities and residential development an appropriate distance from agricultural (primary production) uses so as to minimise any impacts caused by odour, noise or dust.**
- **To provide adequate water supply to new development without resulting in an over exploitation of the surface or groundwater in the locality to the detriment of existing agricultural uses.**

**NOTE: In further information provided via email to shareholders of Renwick Pty Ltd, it is proposed that water will be provided via rainwater tanks, this will be insufficient to supply**

the cabins exclusively and will require additional water being supplied from elsewhere. This will be of detriment to the users of the private road ( easement through 2 properties) through accelerated degradation, increased traffic and is not in keeping with the ethos of a self sustaining eco tourist facility by trucking in water.

### 1.3. Controls

#### C8.1-1 Minimising Conflicts

- (a) **Locate residential, eco-tourist facilities and tourist and visitor accommodation to minimise land use conflicts between other land uses in rural areas including agriculture, intensive agriculture and extractive industries.**

**NOTE: Development conflicts long established land use in the area. Land is used as private residential properties, where residents enjoy the peace and tranquility of the area. DA is situated at the closest point to the existing barn and horse facilities on adjoining property.**

- (b) Where proposed residential or tourist based development adjoins or is in the vicinity of existing agriculture, intensive agriculture or extractive uses, the **development application must be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.**

**NOTE: Adjoining property is used for keeping horses and development is located alongside their stable. There is no mention of how adjoining land utilises their property in the materials provided, in particular the Statement of Environmental Effects does not even consider or make mention of significant impacts on neighbouring properties.**

- (c) In assessing development adjoining the existing uses, the Council must:

- **Consider whether or not the development is likely to have a significant impact on the use that, in the opinion of the Council having regard to land use trends, is likely to be the preferred use of the land in the vicinity of the development.**
- Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility.
- **Design and site the development in a way to minimise land use conflicts between other uses including existing residential development.**

**NOTE: Development conflicts with established land use trends. Area is an established quiet rural residential living area, with residents who have chosen the location for the peace and tranquility that the area offers. Site design is incompatible with existing land uses. No evaluation demonstrated by the applicant to consider, minimise or avoid any incompatibility. This is explored in more detail further on.**

- (g) Where proposed tourist and visitor accommodation or eco-tourist facility development **adjoins or is in the vicinity of existing residential development, the development application is to be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.**

**NOTE: No assessment on how land use conflicts have been considered or how the existing residents will be impacted by the development. This demonstrates the failing of the applicant to consider and abide by regulations.**

(h) In assessing development adjoining the existing residential uses, the **Council must consider** whether or not the development is likely to have a **significant impact on the residential uses** including increased vehicle movement and noise.

**NOTE: This development will have a significant impact on the local area, as it is in contrast to the quiet residential nature of our small rural properties. Key areas of concern are addressed in detail further on in this submission.**

## Chapter E – Non Residential Development

We have provided the eco tourist facility information from the **SRSCP2013** plan and provided our objections alongside in the table.

### 4 Eco-tourist Facility

Eco-tourist facilities provide for a combination of tourism, education and hands-on activities relating to the natural or cultural environment. An eco-tourist facility is defined in the Snowy River LEP 2013:

Information provided by Snowy River Development Control Plan 2013	Our Objections to how the development does not meet the SRCP2013
<p>Eco-tourist facility means a building or place that:</p> <p>Provides temporary or short-term accommodation to visitors on a commercial basis, <b>and</b></p> <p>Is located in or adjacent to an area with special ecological or cultural features, <b>and</b></p> <p>Is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.</p> <p>It may include facilities that are used to provide information or education to visitors and to exhibit or display items.</p>	<p>Unwanted in a quiet rural area. Not in keeping with established land uses and locality character.</p> <p>Not adjacent to areas of special ecological or cultural features. Note Adjacent - next to or adjoining something else.</p> <p>Proposal is for newly constructed shipping containers. Not a locally sourced material, requires shipping in, which adds to</p>

	<p>the environmental impact.</p> <p>Located close to neighbours boundary impacting on their ability to enjoy to the scenic location.</p> <p>No educational facilities proposed.</p>
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The Snowy River LEP 2013 (clause 5.13 Eco-tourist facilities) provides detailed considerations for the development of eco-tourist facilities.

<p>As there is <b>no maximum number of guests</b> set for an eco-tourist facility, the onus is on the applicant to demonstrate that the development is <b>specifically located and designed for eco-tourist purposes</b> and demonstrates <b>a significant practical reliance on renewable energy and water uses</b>.</p>	<p>Each cabin on development has 2 guests, that is an additional 8 guests in addition to their Air BnB let (8 guests) in addition to the top level of the dwelling (unknown) with the associated traffic movements and requirement for energy and water sources.</p> <p>We believe that this classification as an Eco Tourist facility was chosen to circumvent the stringent controls that apply to other accommodation development options.</p> <p>Other than the word Eco being located on the designs there is little to justify them as a Eco Tourist facility. The construction methods, location and burden on the land and neighbours and a failure to demonstrate a significant reliance on renewable energy and water uses highlights how this facility should not be considered an eco tourist facility.</p> <p>No information has been provided on site plan to indicate solar or rainwater tanks.</p> <p>** Energy ratings indicate</p>
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	these cabins are 4/10 stars. Constructed from new build shipping containers, powered by electricity. <b>No mention of solar power, how the cabins will be heated and cooled or how potable water will be provided to guests.</b>
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#### 4.1 Design of Eco-Tourist Facilities

##### 4.1.1 Objective SITE DESIGN

To <b>improve</b> the environment of a site and incur minimal site disturbance through integrative design which reflects rather than alters the natural existing landscape.	Does not improve the site or local area. Reduces enjoyment of the local area for long term residents through increased guests on the property, increased vehicles, poorly thought out design and location, reduced ability to enjoy own property as well as loss of privacy.
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#### Controls

##### Eco-tourist facilities will:

Be designed to utilise building materials that <b>blend in with the surrounding landscape</b> , promoting the use of recycled materials and <b>materials sourced from the region</b> .  <b>Maximise energy efficiency</b> and use a <b>minimum of non-renewable energy</b> .	Shipping containers are not local, they are not recycled from the region.  No documentation provided to indicate how power and water from renewable sources will be supplied to the cabins. Cabins will have a high need for heating and cooling facilities. These are not indicated on the plans. Water supply to the cabins
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<p>Be designed on the basis of <b>ecological sustainability</b> and an understanding of the potential environmental impacts.</p> <p><b>Not dominate the visual landscape</b> through any component buildings and infrastructure and will be <b>compatible with the local cultural character</b>.</p> <p>Reduce the footprint of development components to the minimum required for development to proceed.</p> <p><b>Acknowledge and consider the social fabric of the locality and the need to respect, support, and not adversely affect, the local community.</b></p>	<p>are not indicated on the plans either.</p> <p>Increasing guest capacity at 2 Charlottes Lane will have a negative impact on the local ecology.</p> <p>Building material is incompatible with the local area and does not reflect the cultural character of the area. Four cabins will dominate the boundary between properties. Reducing the enjoyment and scenic values for neighbours by blocking established vistas.</p> <p>Adding additional septic and absorption trenches will further increase the foot print and site disturbance. Site already has one OSWM facility, adding an additional service increases the burden on the land.</p> <p>The local community opposes the development due to the lack of consultation and consideration for residents impacted by the proposal. Development would unfairly burden existing residents with increased costs for management of shared resources as well as changing the locality's desirable characteristics. Proposal shows a lack of respect for the local permanent residents. DA will increase undesirable effects into the local area through increased traffic movement, excessive noise and ruin the quality of</p>
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<p>Avoid the use of non-renewable resources where practical.</p>	<p>lifestyle residents enjoy.</p> <p>Staged development would further increase disturbance caused by extended construction inconvenience to residents.</p> <p>No information provided.</p>
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#### 4.1.2 Objective PARKING

To ensure that suitable and sufficient car parking is provided on the site.

#### Controls

Eco-tourist facilities will:

<p>Provide <b>adequate on-site car parking and bus parking</b> and maneuvering space to cater for the peak use of the facility. (Refer to Chapter C3 Car Parking &amp; Access for parking rates and design)</p> <p><b>Require a traffic assessment</b> prepared by a suitably qualified traffic engineer to support the development application at Council's discretion. Any such traffic assessment must demonstrate that adequate parking is provided for the peak use of the facility.</p>	<p>Development would increase traffic movements at property and along Carinya and Charlottes Lane. Reducing safety for residents who use the 'Right of Carriage' to enjoy the local area. Insufficient area next to cabins and adjoining fence line to safely manoeuvre vehicle.</p> <p>No information provided on traffic assessment by traffic engineer. Potential to increase traffic exponentially due to proposed cabins and existing Air BnB facility. Access is provided by 'right of Carriage' across several properties.</p>
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**We have also commented on the issue of car parking further up in the document.**

#### **4.1.3 Objective EDUCATION AND AWARENESS**

To incorporate and promote **visitor education and environmental awareness as integral components** of eco-tourist development.

##### **Controls**

Eco-tourist facilities will:

<b>Contain facilities for the teaching, researching or dissemination</b> of knowledge in respect of the natural and cultural history of the area.	No facility provided, just accommodation. Looks to use the vagueness of eco-tourist facility to avoid strict controls on other accommodation developments.
Provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.	Not provided on site. Other accommodation options already exist closer to areas described in the Statement of Environmental Effects document.
Recognise the importance of key natural features to the visitor experience, and where these are off site (eg National Parks), <b>recognise and address the potential indirect impacts</b> associated with a development.	No information provided in DA.

#### **4.1.4 Objective ACCESS**

To ensure reasonable provision is made within the building and access areas for the movement and circulation of people with disabilities.

##### **Controls**

Eco-tourist facilities will:

<p>Demonstrate consistency with the provisions of the Disability Discrimination Act 1992 (Commonwealth).</p> <p>Comply with the Building Code of Australia with respect to <b>access and circulation for persons with a disability</b>.</p>	<p>Provision has been made on development proposal for 1 disabled access cabin. Note it is proposed only in Stage 2 of the development.</p> <p>Limited opportunity for guests to enjoy site other than cabin. No information provided on access to cabin from associated car park.</p> <p>Email to Renwick Pty Ltd suggests development of disabled access cabin unlikely to proceed if DA approved. Inclusion of the disabled access facilities is not a true reflection of what they intend to build. Email provided further down.</p> <p>Not including the disabled access facilities demonstrates a lack of compliance with the development controls for a eco tourist facility.</p> <p>Development should not proceed.</p>
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## 4.2 Operation of Eco-Tourist Facilities

### 4.2.1 Objective MANAGEMENT

To achieve appropriate standards for the operation and management of eco-tourist accommodation.

#### Controls

#### Eco-tourist facilities will:

<p>Be centrally <b>managed by on-site management</b>, where that eco-tourist facility accommodates over 15 guests. All structural and land components will be the responsibility of one management whether or not individual structures are owned by different entities.</p>	<p>No evidence of onsite management during winter for existing AirBnB.</p> <p>Accommodation provided for guests across proposed cabins and Air BnB is 16 guests.</p>
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<p>Use an existing or proposed dwelling as the manager's residence (where possible), where a manager's residence is provided as part of the eco-tourist facility.</p> <p>Be permitted only one manager's residence on land on which the eco-tourist facility is proposed.</p> <p>Operate on a year-round basis.</p> <p>Be used solely for the provision of temporary holiday accommodation (no more than three (3) consecutive months).</p> <p>Incorporate ongoing monitoring of the development in total and continually assess cumulative impacts, striving to improve the environment within which the development is situated.</p>	<p>Existing residence is used as an Air BnB.</p> <p>Can the existing dwelling be used for short term accommodation and classed as the manger's residence?</p> <p>No information provided on how impact will be monitored and managed. No mention of how the environment is going to be improved.</p>
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### 4.3 Waste Management

#### 4.3.1 Objective WASTE

To integrate waste minimization and energy efficiency within the design and operation of a development.

#### Controls

Eco-tourist facilities will:

<p>Manage waste in a <b>safe, tidy and environmentally responsible</b> manner and in accordance with legislative requirements.</p>	<p>No information provided. Bank of bins not suitable for commercial waste. Already at capacity.</p> <p>Waste generated at DA site has already blown across neighbouring properties.</p>
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<p>Base waste management on the principles of waste avoidance and maximising reuse and recycling of materials.</p> <p>Submit details of the waste management strategy for the eco-tourist facility (both construction and operational phases) to Council when a Development Application is lodged. (Refer to Chapter A2 Development Application Requirements).</p>	<p>Where will waste sorting occur? No information included in DA.</p> <p>No details supplied.</p>
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It should be noted that there is a broad range of development controls in place for eco tourist facilities across different LEPs. We have included some examples below.

Richmond Valley stipulates that:-

- such development will not be permitted unless compliant with minimum lot sizes
- they also enforce a 10000l tank per cabin and an additional 5000l per cabin for fire fighting purposes,
- they also enforce setbacks for the cabins

Cooma Monaro Shire DCP requires:-

- Setbacks of 50m in RU1 Zoning.
- Shipping containers to be placed on level solid ground (3.5.3.1)
- Containers must not be used for sanitary facilities.
- In a RU1 Zone, containers must be used for domestic or agricultural storage purposes only.
- Must comply with setbacks.

In addition, it stipulates that eco tourist facilities are a subset of Short term holiday rental.

- Outdoor lighting is to shown on the plan
- An area is to be set aside and shown on the plans for the storage of garbage bins
- Without a reticulated water supply, the facility is required to have a 60,000l for a 2 bedroom development, 110,000l tank for 3 and 4 bedroom developments. Existing tanks are to be increased to satisfy this requirement.
- An environmental management plan is to be submitted with the DA.

Due to the lack of specific controls in the Snowy Monaro Development Control Plan it would be possible for a rogue short term accommodation development to gain approval which contravenes the intent of eco tourist facilities. We do not want to see that occur here.

From our research into the other tourist accommodation options in the Snowy River Development Control Plan 2013, these accommodation types are more strictly regulated, this information and the associated controls is provided in depth in Chapter E - Non Residential Development E1 Tourist Development.

## State Environmental Planning Policy (SEPP)

In addition to the above points where we have consulted the Snowy River Local Environmental Plan and Snowy River Development Controls, we have also consulted with the State Environmental Planning Policy which overlays the state of NSW.

### Part 3A Rural Housing Code

#### Complying development in the RU1 zone

#### Subdivision 3 Building heights and setbacks

##### 3A.16 Setbacks of dwelling houses from side boundaries

- (1) This clause applies to a dwelling house and any carport, garage, balcony, deck, patio, pergola, terrace or verandah that is attached to the dwelling house (*a building*).
- (2) Any point of a building, on a lot to which this code applies, must have a setback from the side boundary nearest to that point of at least the following distance—
  - (a) if the lot is in Zone R5 and has an area of less than 4,000m<sup>2</sup>—2.5m,
  - (b) if the lot is in Zone R5, and has an area of at least 4,000m<sup>2</sup>, or is in **Zone RU1, RU2, RU3, RU4 or RU6**—10m.

**NOTE: The proposed development fails to meet this basic requirement by locating their development as close as 6.5m to our property boundary.**

This is further explored in Part 3D Inland Code which is applicable to the Snowy Monaro regional area.

### Part 3D Inland Code

##### 3D.12 Minimum setbacks

- (4) Side setbacks The following buildings must have a **minimum setback from a side boundary of 10m**—
  - (a) a dwelling house,
  - (b) a carport or garage,

- (c) a balcony, deck, patio, pergola, terrace or verandah,
- (d) a cabana, cubby house, garden shed, gazebo, fernery, greenhouse or shed.

**NOTE: Development does not comply with SEPP.**

### **Current use of residence**

Currently the property at 2 Charlottes Lane is an existing residential dwelling being utilised for AirBnB using a 'self contained unit' and granting them additional development approval for the proposed Eco Tourist facility would further increase the burden on the site, local area and other residents. Does this property have DA approval as a dual occupancy?

**dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached).

Note—

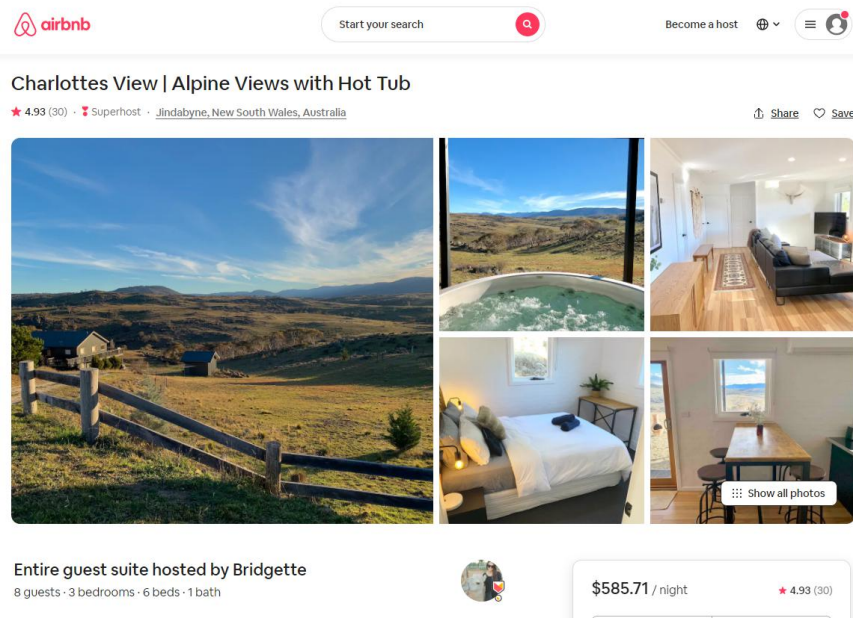
Dual occupancies are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**dual occupancy (attached)** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Note—

Dual occupancies (attached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

It has been difficult to clarify how AirBnB are classified as a land use in the Snowy Monaro area. The only permitted accommodation options for RU1 zoning do not cover options other than bed and breakfast and farm stay accommodation, which suggests this use of the property contravenes the planning laws for permissible land uses.



[https://www.airbnb.com.au/rooms/35095717?source=impression&id=p3\\_1605677027\\_xUHMRHqU%2FszN6%2FVu&quests=1&adults=1](https://www.airbnb.com.au/rooms/35095717?source=impression&id=p3_1605677027_xUHMRHqU%2FszN6%2FVu&quests=1&adults=1)

We have also referred to the Fair trading short term holiday letting framework available at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

They report in the [Short-term Holiday Letting in NSW Option paper](#) key issues reported by residents includes

- Short term holiday letting results in degradation of communal facilities.
- Neighbouring properties and residents experience reduced amenity and enjoyment of their property and local area.
- A short term occupant will not have the same intent to ensure good neighbourly relations with long term residents as they prioritise leisure and festive activities.
- Short term occupant turnover is high, so these events occur more frequently than long term residential activities.
- Short Term Holiday Letting has outpaced regulation as is evident in this case.
- Short Term Holiday Letting is in a residence up to a point where it becomes a more intensive commercial type of use.
- Development is Requiring consent - full DA be lodged with the consent authority and a full merit assessment undertaken against a range of state and local planning provisions.
- Capacity for the property to become a 'party' property which is incompatible with the lives of the long term residents.
- Waste generation may be higher for STHL guests than long-term residents because their perishable items or other items acquired during their stay may be disposed of at the end of their stay.
- There may be a higher proportion of independent adults occupying STHL than would be expected under long-term occupancy, which may generate more demand for parking and traffic in the local area.
- NSW Government relies on a real time telephone warning system for impending hazards - may not be possible given the lack of phone reception in area.

As neighbours adjoining the proposed development we wish to raise our objections to the development based on information provided above and on the following points:-

#### Zoning

- Does not meet current zoning requirements as stated above. In addition provided documentation fails to meet State Environmental Planning Policy as discussed above.
- The property is less than the minimum lot size for the area, so it is unreasonable to expect it to have the same capacity in terms of land use as a larger lot.

#### Location

- Residents met on the 19/1/2020 as share holders in Renwick Pty Ltd to discuss the impact of the proposed DA10.2020.135.1 and it was unanimously agreed by attendees that they did not wish for the proposed DA to proceed. Animated discussion was held about the values the residents hold about the area and the seclusion, privacy and tranquility that the location offers is not to be compromised by a commercial venture of this nature.
- Consideration to shared communal resources has not been provided for in the DA application.

#### Noise

- Established quiet rural area. Location and increased number of guests would further disturb the peace of the local area.
- Increased noise would be distressing for residents, local livestock and wildlife.
- Existing Air BnB description advertises that this is a 'very quiet neighbourhood'.
- Due to the operation of an AirBnB at the proposed site that contravenes current planning laws, we have experienced extreme distress to ourselves and our animals by the guests. This has included excessively loud music being played, burnouts being performed on the property, increased vehicle movements at all hours and guests being loud and obnoxious.
- Increased noise in the vicinity of our horse facilities from vehicle movements, guests, associated infrastructures - pumps, air conditioners etc will cause distress to our animals.
- The noise will disturb our right as neighbours to quiet time to rest and rejuvenate. This property was specifically purchased for the lifestyle that it offered and as a retreat from our careers in heavily people orientated areas. Our occupation means that we are often on call or catching up on sleep during the day, after working all night. The location of the ecotourist facilities will have a dramatic impact on the ability to get essential rest.

#### Invasion of Privacy

- Compromised privacy with guests wandering around the neighbouring property. On several occasions, we have witnessed guests hanging over boundary fence lines and interacting with our pets and livestock.
- Guests of 2 Charlottes Lane have turned up at our property at night unannounced and disturbed our peace and quiet. This is extremely distressing and will only be amplified by the addition of 4 more cabins on the site.
- Windows on the East elevation of the proposed development face our property and the cabins are located as close as 6.5m to our boundary. **This is in direct violation of the SEPP which requires a minimum of 10 m as a setback to boundary fences.**

#### Traffic

- Increased traffic along Carinya and Charlottes Lane at all hours. Especially during winter months when short term accommodation is in high demand.
- The Mowamba River and riverbank provides habitat for a variety of wildlife, including platypus, wombats, wallabies and kangaroos. Tragically, wildlife has been hit along Carinya Lane in the past, increased traffic associated with the proposed development would only put further pressure on the vulnerable wildlife and their habitats.
- Increased noise associated with traffic would only further reduce our ability to enjoy the peaceful and tranquil location.
- In addition to the associated noise is extreme concern about vehicle headlights invasively lighting our property due to the extreme proximity of the cabins, car parking and driveway.
- We have experienced extreme distress at the arrival of misplaced guests at our property, racing down and up our driveway, late at night. This is extremely distressing in such a quiet rural area, not to mention our animals which graze on our property.

#### **Proximity to boundary**

- Proposed driveway to cabins is located hard on our boundary, which adjoins the horses paddocks. One cabin is to be located 6.5m to our boundary, with the car parking space next to that, encroaching even closer to our boundary, there wouldn't be insufficient room for the vehicle to perform a 3 point turn, requiring them to reverse up the slope to exit the property.
- Our investigation on the SEPP is 10m. Proposed development fails to meet basic criteria for location of buildings.

#### **Increased pressure on shared facilities**

##### **Road**

- A 'Right of carriageway' private road is provided through Carinya Alpine Village and property fronting the Mowamba River to Charlottes Lane. Residents share costs for the maintenance and upkeep of the road through shares in Renwick Pty Ltd. Increased usage from 2 Charlottes Lane guests (each cabin appears to be allocated a car parking spot), would mean that they are not paying a proportional amount due to their increased occupancy levels therefore increasing the road wear and tear and passing on a disproportionate financial burden for road maintenance onto other lot owners.
- The road is a single lane private road where residents have agreed to speed limits and access to ensure that we can all enjoy the local area safely. We often ride our horses down the road and encounter nonresidents who do not stick to the agreed speed limits. This would only increase if the proposed development is allowed to go ahead.
- There is an additional easement along the river frontage that would be further burdened by the additional cabins and the associated traffic. Current users are respectful of the right of way. This cannot be assured by Development Application of the eco tourist facilities.

##### **Water**

- No mention of how the development plans to provide water for the cabins on site plan received 4/11/2020. Or on plans loaded onto the DA tracker.
- Our rural community currently has communal water holding tanks. This water is untreated and pumped from the Mowamba River. It is not potable. Does it meet the Snowy River Development control for water at an accommodation facility?
- The proposed development of an eco-tourist facility must demonstrate a target for grey water re-use within the facility of 100%. **No mention on the supplied site plan received 7/11/2020.**



- Proposed eco tourist facility is not subject to the same controls as other short term tourist accommodation in the RU1 zone or in the area governed by the SRDCP2013. Some of these require 110litres of potable water per person per day - this would require the ability to hold nearly 900 litres on site per day, further adding to the infrastructure burden on the site and adding to an increased physical footprint the additional cabins would add. This is without consideration to the existing dwelling at 2 Charlottes Lane which already has a self contained unit, which they use via AirBnB to accommodate 8 guests (source Air BnB).
- Rainfall over the last 5 years would suggest that it is nearly impossible to generate the amount required for the proposed additional 4 cabins via rainfall, which would mean they are going to use the available non-potable water or truck in water, which is hardly eco-friendly and provided more wear and tear on the road paid for by residents.
- In the instance of fighting a bushfire there would be insufficient water resources available posing an increased threat to our property considering how close to the property line the construction is.
- The development would create disproportionate use on the existing water rights that exist for the dwellings.
- Predicted rainwater harvesting capabilities can be easily calculated from the site plans, following the total rainfall for the area in mm x roof surface area = roof catchment capacity. Using this calculation and the extended awning as per plans I have calculated the total catchment to be 20,448L. If an accommodation facility is to provide potable water to guests at a rate of ensuring they hold 110L per day per guest. (These cabins are designed to sleep 2 guests), **This would mean the cabins are only able to be self sufficient for water for 93 days of the year.** This is assuming that the rainfall stays within average figures, which given climate changes and the longstanding drought appears unlikely. I have not factored in the additional rainwater tank on the property as that is attached to the main dwelling.

### Septic

- Without sufficient details provided on the Public Notification site plan received 4/11/2020 it is hard to understand where septic facilities will be located and how effluent will be dealt with.
- With the proposal including the addition of 4 cabins, assuming each with their own bathroom facility (these details are not provided on the included site plan), there would be insufficient capacity on the existing septic facility. Where will new septic be located? Adding more absorption trenches to the property increases the likelihood of effluent waste smells being directed towards our property, especially in the prevailing winds. Also due to the slope of the land it will be hard to ensure the waste does not make its way to Steels Creek, which feeds into our water source, located at Mowamba River.
- The property already has one septic system, it is inappropriate to add an additional system to the land.
- Updated documents provided via online DA Tracker 20/11/2020. Details location of septic systems and absorption trenches. Additional system to be installed adding to disturbance of the site, as well as issues documented above.

### Phone Reception

- Phone reception is poor in the area and this is noted in guest reviews on their AirBnB page. If there is an emergency, medical, bushfire or otherwise, all occupants should have access to reliable communications. During the 2020 bush fire period, the majority of local residents of Charlottes Lane and Carinya Lane, opted to evacuate due to the limited access along the

'right of carriageway' through Carinya Alpine Village and longside the river. As a proposed Eco Tourist facility, there should be an onus on providers to ensure safe access for residents so our access is not impeded by their guests.

- C1.2-7 Provision of Services
  - (b) The applicant must demonstrate that telecommunications (whether fixed line or mobile) can be provided to the site.

#### **Waste Management plan - Rubbish removal**

- Insufficient rubbish removal facilities exist in the local area. The nearby bank of bins located at the Jindabyne Rural Fire Shed have had their capacity increased multiple times as demand continues to increase. A commercial venture located at 2 Charlottes Lane would generate more waste than is able to be dealt with appropriately.
- Where will this waste generated by users of the proposed development be located until it can be dealt with? This has the potential to increase smell into the area and attract unwanted animals such as rodents. This is not documented on the proposals, yet is an important consideration and requirement in the SRDCP2013.
- In Jindabyne's frequent high winds, we have had waste blown across our paddocks from 2 Charlotte's Lane in the past, demonstrating an incapacity to deal with current levels of waste. This has negatively impacted us due to having to collect their waste and endangered our animals who may ingest the foreign material.

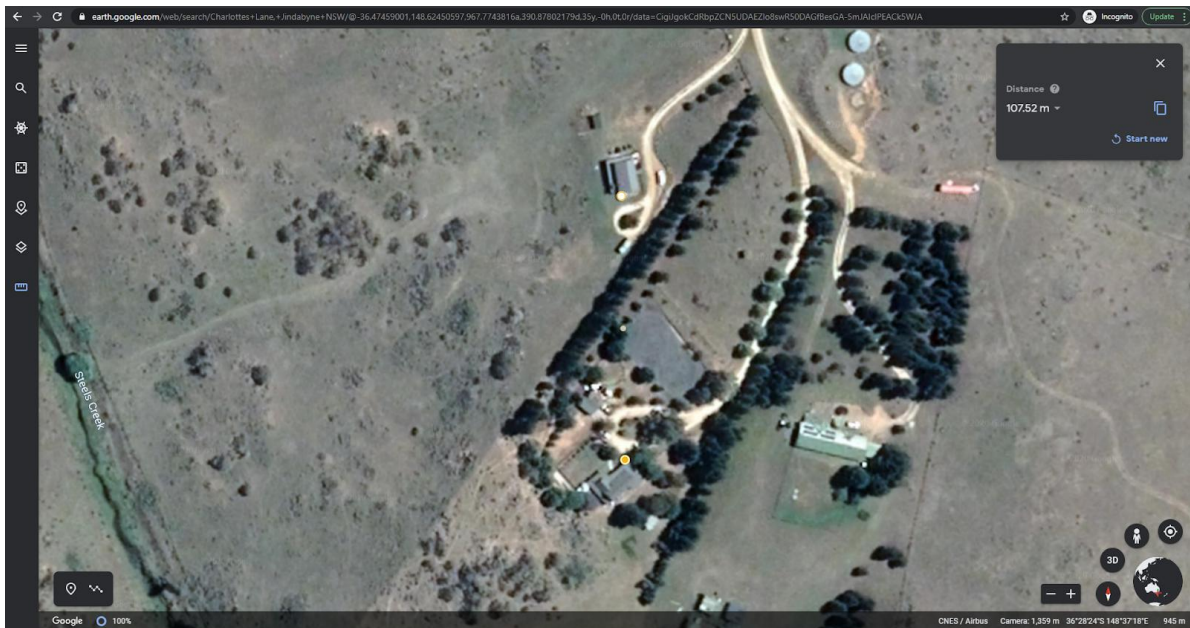
#### **Visual appearance**

- Proposed Eco Cabin/Holiday Letting elevations diagram received 4/11/2020 lacks detail to the proposed finishes. Appears to be modified shipping containers which is not in keeping with the rural location. A poorly thought out design with little to no thought for neighbouring properties.

#### **Updated information provided 20/11/2020**

- Cabins have been plonked on the site in the furthest location to the existing dwelling on 2 Charlottes Lane with no thought of the adjoining neighbours and the associated intrusion caused by the location of the cabins and their guests.
- Physical distances between the 2 dwellings has been halved with the proposed location of guest cabins. This further emphasises their intrusive nature.
- Location of the cabins increases the intrusion to our privacy and reduces our long held scenic views.
- Parking for cabins is alongside our property boundary at a site that is closest to our residential house and main area on the property for activities.
- The local area will be blighted by the addition of the high density cluster of accommodation cabins and the associated services provided to the proposed development. Increased footprint on area due to the associated services also required to service the cabins - pumps, aircon, water tanks, car parking etc.
- A row of mature trees exists that were thoughtfully planted to capture vignettes of the view from key locations around our property, they create a sense of privacy without blocking the scenic nature of the area. Placement of the cabins will mean we lose access to these long held views and we will experience reduced enjoyment as a result.
- Local wildlife also use the treeline to retreat from the extreme weather conditions that can be experienced by the location. Increased guest capacity and traffic movements will mean we are unable to share our property with these animals, including much loved black cockatoos.

- Due to drought and unfavourable conditions from the 2020 bushfires, we have lost several mature trees on our property, particularly along the fenceline and will require removal. The addition of cabins on the site will impact on established view lines.
- Established privacy between our property by the mature pine trees is referenced in the Statement of Environmental Effects document, these trees will not live forever and were planted for privacy between the 2 main residences on the blocks, not for the purpose of a commercial enterprise. Adding cabins will erode the established privacy created by the distance of approximately 100m between the main dwelling and quiet nature of the blocks, especially as they encroach on the boundary closest to our residence.



- Location of proposed cabins along our boundary fenceline will only further invade our privacy and impact on our ability to access views.

### Security and Safety

- Since 2 Charlottes Lane was established as an AirBNB/holiday letting location, we have had multiple instances of guests turning up at our house looking for the AirBnB property. This has often occurred at night, prompting us to install some extra security measures due to how unsafe this has made us feel. We object to potentially having more people turn up on our property unannounced, driving down our driveway at speed. These experiences have been highly distressing.
- We have recently discovered that the Air BnB location map indicates that the property is located at our address. The correct address is only revealed after booking if confirmed as a security measure to the hosts, however it puts neighboring properties at risk.
- Our estate is a hidden gem and unknown by even long term locals. By opening the area up to more tourist accommodation, we fear there will be an increase in crime.

### Number of guests on property

- The development proposal site plan received 4/11/2020 for four cabins provides no details for potential guest occupancy numbers.

Updated information provided 20/11/2020

- The four cabins would total an additional 8 occupants on the property in addition to their self contained holiday let which according to AirBnB sleeps 8. Plus the residential level. This would mean that there is increased capacity on the neighbouring property for 16 people without accounting for occupancy of the top floor dwelling. This is an unreasonable number of occupants for the quiet rural residential area, with the associated vehicle movements, noise and antisocial behaviour.
- We have concerns over the lack of guest oversight on the current self contained studio as there have been several instances where guest behaviour has been anti social and not in keeping with the local area. This has included excessively loud music on multiple occasions, rubbish being blown across our paddocks and has also included vehicles doing burnouts on the driveway and revving vehicles long enough to wake us from our sleep as well as distressing the horses which are housed nearby.

#### **Existing Accommodation options**

- In the local vicinity, there is the existing Carinya Alpine Village providing a range of accommodation options as well as a heritage listed building providing interest in the location. Guests Carinya Alpine Village are managed effectively by the managers and are provided with extensive on site entertainment options. This means that their guests rarely end up in our residential area. We have never experienced an issue with a guest of Carinya Alpine Village which reflects positively on their management of the property.
- Proposed development site is already used as an AirBnB providing accommodation, difficult to gain clarification if this is a permissible land use under RU1 zoning.

#### **Service deed - Water**

- Local residents are shareholders in Renwick Pty Ltd and water is pumped into a communal holding area. Increasing The occupancy on 2 Charlottes Lane will add unfair and unwarranted pressure to the system which relies on manual pumping arrangements.
- Water is not potable and is pumped directly from the Mowamba River. Adding the development will add further pressure to the water way for us and other residents who rely on the Mowamba River and have riparian rights.
- Other residents have yet to receive notification of the proposed development and therefore have not been given appropriate notice to put together their submission. (Update : Notified of extension on 17/11/2020 until 30/11/2020 by Sophie Ballinger).
- Our riparian rights are for domestic use, this is a commercial enterprise and this will put additional pressure on this resource.
- Further documentation made available on the council DA Tracker 20/11/2020.

#### **Insufficient information provided in application**

Snowy Monaro Council requires applications to provide a site plan that indicates:-

1. Location, boundary dimensions, site area and north point of the land;
2. Existing vegetation and trees (sp?) on the land;
- 3. Location and use of existing buildings on the land;**
4. Existing levels of the land in relation to buildings and roads; and
- 5. Location and use of buildings on sites adjoining the land.**

Plans or drawings describing the proposed development must indicate (where relevant):

1. The location of proposed new building

Please note there was no indication of our existing buildings and how we as adjoining neighbours use the land in the development application proposal we received. We believe little thought or consideration has been given to these matters. There is no mention on the DA proposal about how they currently use the location and are operating a short term letting through AirBnB without appropriate approvals.

Below is the development process as described by the Snowy Monaro Council. We have added notes where we believe the applicant has not addressed or followed the process.

**The Development Process** <https://www.snowymonaro.nsw.gov.au/349/The-DA-Process>

Snowy Monaro Council has steps to guide applying for Development Application

**Step 1**

You need to establish what is permissible on your property, what potential hazards affect your property and what controls apply to the proposed development.

To assist you in this step, please contact the Council's Environment and Sustainability Department who can help you determine the more common permissible uses and the relevant controls applying to a specific property and identify what hazards, if any, apply to your property.

**Note : Applicant has not considered all aspects of the SEPP, Local Environment Plan and the RU1 zoning that is applicable to the block. Applicant has not consulted with the Renwick Pty Ltd who provide key services and maintain access to property. The original subdivision only provides for one dwelling per block. Still trying to assess if different controls apply as the lots are below the minimum size for this area.**

**Step 2**

Consider all design issues taking into account the site, its context, the specific development controls that apply to the proposal, together with any hazards that affect the land and prepare concept plans.

**Note : Concept plans and proposal do not meet requirements for RU1 zoning due to the proximity of cabins to the boundary fence and the impact on the adjoining land through loss of views and privacy. The classification of the development as an eco tourist facility appears deliberate to allow the accommodation to masquerade as eco tourist facility when there is little to substantiate this.**

**Step 3**

Talk to your neighbours and to any local community groups about your concept plans to assist them to understand your proposal. Consider their concerns and seek to compromise to achieve a satisfactory outcome.

**Note: No consultation with neighbours or local community regarding development. we note that the original plans were first drawn up in 12.02.2020 as per the site plan provided by council which has provided them with ample time to discuss the application with affected residents. Did not attend the Renwick Pty Ltd Extraordinary meeting 18/11/2020 to discuss development with residents of the adjoining properties. Sent an email, which was shared at**

We note that signage of proposed developments are a notification requirement, please note this has not occurred at 2 Charlottes Lane current 19/11/2020.



### Unable to access information in a timely manner

As of 19/11/2020 I have made contact with the council on 3 occasions requesting further information.

By email 17/11/2020 requesting further information and an extension for the submission.

By email 18/11/2020 to Sophie Ballinger, who responde and granted an extension until 30/11/2020 but did not provide further documentation.

By phone 19/11/2020 to request further documentation again.

By phone on 20/11/2020 to lodge a formal complaint about the inability to access required information in a timely manner. - Spoke with Veronica at the Jindabyne Office. I was then able to speak with Sophie Ballinger who is going to upload documentation to the DA tracker.

Information uploaded to DA tracker 20/11/2020. Shared link with neighbouring properties who had not received notification.

Without accurate information being provided it is harder to formulate specific points and is unfair on local residents who are impacted by the DA, we have raised this issue with local councillor John Casterllari and by email with Mayor Peter Beer.

**20/11/2020 Now that more documentation has been made available via the online DA tracker, I have provided comments on the information provided from the documents below.**

### Energy Rating Scheme for proposed cabins

**Nationwide House Energy Rating Scheme**  
summary NatHERS Certificate No. 0004993606-01

Generated on 23 Sep 2020 using BERS Pro v4.4.0.1 (3.21)

**Property**  
Address 2 Charlottes Lane, Jindabyne, NSW, 2627  
Lot/DP 9/-  
NatHERS climate zone 69

**Accredited assessor**  
darren parker  
energyraters.com.au  
admin@energyraters.com.au  
02 60 24 10 22

**Accreditation No.** DMN/15/1694  
**Assessor Accrediting Organisation** Design Matters National

**Verification**  
To verify this certificate, scan the QR code or visit [hstar.com.au/QR/Generate?p=TOCOEMpID](https://hstar.com.au/QR/Generate?p=TOCOEMpID).  
When using either link, ensure you are visiting hstar.com.au

**Summary of all dwellings**

Certificate number and link	Unit Number	Heating load (MJ/m <sup>2</sup> /p.a.)	Cooling load (MJ/m <sup>2</sup> /p.a.)	Total load (MJ/m <sup>2</sup> /p.a.)	Star rating
0004993499-01	1	314.6	66.7	381.4	5.1
0004993507-01	2	405.1	81.8	486.9	4.2
0004993523-01	3	405.2	81.8	486.9	4.2
0004993606-01	4	405.2	81.8	486.9	4.2

With low energy efficiency predicted prior to the build (only one cabin scraped in 5 stars out of 10 and it well documented that predicted performance is not an indicator of actual performance), there is little to suggest that these cabins meet perceptions of being eco friendly. Take into consideration that the plans specify that they will be constructed from new build shipping containers, you do not have a product that can classify itself as being good for the environment. This is before the extremes of our locality are taken into account. During winter these cabins would require extreme heating options, further adding to the burden of the site and surrounding neighbours through increased noise from associated devices. The main building material would only further accentuate the extremes of temperature we experience. Our mature trees would also mean these cabins are in shade for the majority of the day and would experience minimal solar heating during winter. This would further require heating methods that are not accounted for in the plan.

No mention of how the cabins will be powered. Proximity to our boundary and mature trees would make solar unsuitable, again limiting how these could be classed as an eco tourist facility. A diagram indicates that they are connected to power via a connection (like a caravan), creating approved electrical connections for this will require further site works that are not accounted for in the plan. This will lead to further disturbance of the site.

#### Concept Brief: Delivery

Product and Materials:	
→	Tilt Tray Tow Truck
→	Side Loader
→	Crane truck
Indicative Cost:	
→	Rates from \$3.30 Per Km minimum charges apply
General Comments:	
→	Site constraints determine best delivery option with crane services available for out of reach positioning



Name: Contemporary Blonde	Drawing Type: Not for Construction	Scale: 1:50	Contact: John Hannan   +61 433 385 337
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This is not 'sensitively designed' for the local environment. Does not reflect local character or materials.

#### Water check Testing Onsite Sewage Management Assessment

New System Installation report - dated 24/12/2019

Proposal For On Site Sewage Management Overview

From plans received 4/11/2019 the proposed development will consist of four container cabins.

Each cabin will consist of one bedroom with ensuite and basic kitchenette with a sink.

Each cabin will have the potential to house two persons

A baffled septic tank with minimum capacity of 4000 litres is to be installed with effluent gravity fed to 2 x 25m absorption trenches

Site Plan Attached

A site diagram is attached and with aerial photos also attached for additional identification

Intended Water Supply

The proposed water supply will be from tank water.

Expected wastewater generation

Expected maximum wastewater generation is 640 litres per day

Local experience (information regarding on-site sewage management systems installed in the locality).

Septic tanks with absorption trenches are installed in the locality

Property **already has an existing septic**. It is inappropriate to add additional sewerage facilities for the commercial operation as it will impact on neighbours ability to enjoy their property. This will further disturb the land and cause potential pollution issues. No mention of the site disturbance that will occur due to installation.

**Statement of Environmental Effect - Dated March 2020**

Key points - from the report

Staged development - pg2

Stage 1 3 x Eco Cabins and associated on site sewage disposal system

Stage 2 - 1 x disabled access cabin (closest to main dwelling)

**NOTE:** - Key aspect from Snowy River Development Control plan in the inclusion of disabled access facilities, these will not be available until stage 2 is completed. This would mean that the development doesn't meet the requirements of an eco-tourist facility until this phase is completed.

'Overall the proposal is deemed to be of positive influence from an environmental, social and economic perspective.'

**NOTE:** This is a subjective statement and has only accounted for one point of view, the developers, as previously explored the development does not meet planning requirements required at a state and local level. Combined this with the documentation from the energy ratings for the cabins, the location of the cabins, the extra burden on existing infrastructure and the higher cost associated for maintenance of shared resources by local residents, and the total lack of information about how the cabins will rely on renewable energy sources, what documentation is

provided suggests the bare minimum is being done to quantify this as an eco tourist facility. Overall the proposal is deemed offensive to the established nature of the area and will have a negative, social and monetary impact on other residents. Through increased maintenance costs for shared facilities as well as devaluing neighboring properties.

Pg 3 discusses the RU1 zoning. Please see above as we have made points in detail relating to the zoning and permissible land uses.

The Site pg 4

Note: Figure 2 on page 4 is an inaccurate representation of the block and layout with the diagram encompassing half of our property.

Note: in the site description it fails to note that access is provided along a private road/right of carriageway with easements across neighbouring properties. These neighbours will be impacted by the increase in traffic during construction and once the facility is established.

Pg 5

**'The surrounding area is characterised by predominantly rural development and farming land.** The site currently has an existing shed, dwelling and septic system.'

Note: The residents present voted unanimously against the development at the Renwick Pty Ltd meeting as they wish to maintain the current values and land uses in the area.



*Figure 4: Proposed location of 4 Eco cabins*

The image does not clearly show the proximity of the cabins to our boundary - We have added a red line to show the fence line more accurately. This image does not accurately reflect the location of the cabins and their viewpoint.

Page 6 - development diagrams

Inaccurate diagrams provided as part of the DA.

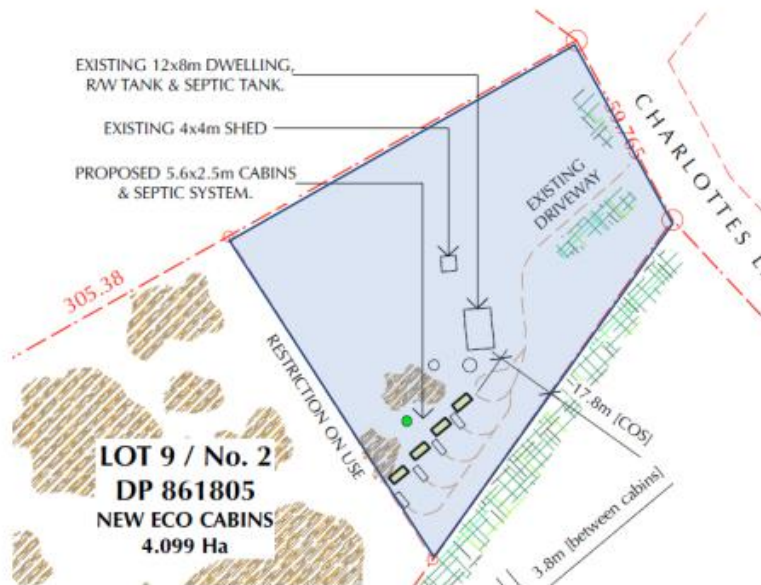


Figure 6: Land to be utilized , cabins not located within restriction zone

The diagrams supplied in the Statement of Environmental Effects do not correspond with the most up to date version of the site plan. Demonstrating that after the report of environmental impacts was created the location of the cabins was moved, further reducing our capacity to enjoy our property. The plans indicate a distance of nearly 18m from our boundary, however that has been reduced on current plans to 6.5m. **It does not meet current planning setbacks in an RU1 Zoning.**

Pg 7 - Discussing the staging of the project

We have made a point further up regarding the staging and leaving disabled access cabin until stage 2 plus further down, we have included detail relating to this point from an email shared at the Renwick Pty Ltd meeting where the developer shared their view that it is unlikely for this cabin to be constructed, therefore they do not meet the requirements of an eco tourist facility.

Pg 8 Streetscape, setback and character





Figure 8: Image taken from entry to property on Charlottes Lane, cabins to be located behind dwelling

This image in the report does not accurately reflect the visual intrusion the cabins will create on the local area as it only considers one aspect from the street frontage.

'The cabins will not have any negative impacts to the streetscape or locality in general. A large established row of conifers line the boundary of the adjoining property which will ensure the privacy of the adjoining property owners and visitors to the cabins will be Maintained.'

Note: The large row of conifers suffered in the recent bush fire seasons and long standing drought, several have died and will need to be removed. Placement of the cabins should consider the impact if these conifers did not exist.

Privacy for our property is impacted by the proximity of the cabins located as close 6.5m from our boundary, with windows facing my property. We heavily dispute this claim.

'The rural character of the area will not be negatively impacted by the cabins. The cabins have been purposefully located so as to not be clearly visible within the rural landscape and sensitively designed to minimize any environmental impact.'

NOTE: The cabins have been shoved up hard against our boundary and will impact on established land uses. Impacting our stables and horse facilities which are located on the other side of the trees. The cabins will intrusively overlook the main area and facilities we use on the property.

'The cabins are proposed to be setback a minimum of 17.8m from the side boundary.'



**NOTE: The most up to date version of the plan has them located 6.5m from our boundary, not 17.8 m as stated in this report. Rendering this environmental report invalid.**

Page 11 Views, Visual and Acoustic Privacy

'The proposed development will not impact on adjoining, visual and acoustic privacy. The image below is the view west towards the mountains of the Kosciusko National Park and surrounding rural properties in the foreground. The location of the cabins will not create any negative impacts to views or visual and acoustic privacy.'

Note: Fails to take into account our views or acoustic privacy as adjoining neighbours. Location of the cabins will negatively impact on our ability to enjoy our property and take advantage of the scenic location. Use of the property has already demonstrated it's capacity to be intrusive and inability to maintain acoustic privacy.

DESIGN OF ECOTOURIST FACILITY	
Minimise site disturbance through integrative design which reflects rather than alters the natural existing landscape.	The proposed cabins are proposed to be a dark shade that will blend in with the natural environment.
<ul style="list-style-type: none"> <li>- Use of materials that blend with the surrounding environment</li> <li>- Maximise energy efficiency</li> <li>- Designed on the basis of ecological sustainability and an understanding of potential environmental impacts</li> <li>- Buildings and infrastructure to not dominate the visual landscape.</li> </ul>	<p>The cabins are proposed to be connected to a septic tank system for effluent disposal.</p> <p>The cabins have been designed to not create a large degree of ground disturbance being positioned on concrete piers, minimizing environmental impacts.</p> <p>The cabins are to be located in an area behind existing rocky outcrops and will not be visibly prominent within the landscape.</p>
OPERATION OF ECO TOURIST FACILITY	
<ul style="list-style-type: none"> <li>- An eco tourist facility that accommodated over 15 guests must be centrally managed by on site management</li> </ul>	<p>The facility will accommodate a maximum of 8 people and the existing dwelling will be used as the managers residence.</p> <p>Only one managers residence will be provided.</p>

Note: the cabins will be extremely visibly prominent from my property and street. The facility fails to mention that they also run a self contained AirBnB which also accommodates guests. This will mean exponentially increasing the capacity and burden on the property as well as neighbouring properties. This is not accounted for in this report.

<ul style="list-style-type: none"> <li>- Where a managers residence is provided as part of an eco-tourist facility, an existing or proposed dwelling is to operate as the managers residence.</li> <li>- Only one managers residence is permitted</li> <li>- The facility must operate on a year round basis</li> <li>- Accommodation must be used solely for the provision of temporary holiday accommodation (no more than 3 consecutive months)</li> </ul>	<p>Open with Google Docs</p> <p>conditioned by Council to operate on a year round basis.</p>
<p><b>NATURE OF ECO TOURIST FACILITY</b></p> <ul style="list-style-type: none"> <li>- The development may contain facilities for the teaching, researching or dissemination of knowledge in respect of the natural and cultural history of the area.</li> <li>- The development will provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.</li> </ul>	<p>The accommodation shall be conditioned by Council on the approved consent to be accommodated to a maximum of 3 consecutive months.</p> <p>Given the unique location of the site within such close proximity to the Kosciusko National Park there is opportunity for visitors to the site to experience nature and cultural history of the Park. Additionally, with the winter snow falls the nearby ski resorts also offer guests a natural, cultural and sporting experience.</p> <p>Lake Jindabyne located nearby is part of Australian history where the works of the famous Snowy Hydro Scheme can be witnessed.</p> <p>In general the area has an abundance of educational elements in nearby surrounding locations that will offer clients many options and opportunities to experience nature and culture.</p>
<p><b>CAR PARKING</b></p> <p>Eco Tourist facilities will:</p> <ul style="list-style-type: none"> <li>- Provide adequate on-site car parking and manoeuvring space to cater for the peak use of the facility</li> <li>- Require a traffic assessment prepared by a suitably qualified traffic engineer as required</li> </ul>	<p>There is adequate provision for car parking on the site with a dedicated car space provided for each cabin.</p> <p>A traffic assessment is not deemed to be necessary for the proposed development. Access to the site is suitable.</p>
<p><b>EDUCATION &amp; AWARENESS</b></p> <p>To incorporate and promote visitor education and environmental awareness as integral components of eco-tourist development.</p>	<p>Given the unique location of the site within such close proximity to the Kosciusko National Park there is opportunity for visitors to the site to experience nature and cultural history of the Park. Additionally, with the winter snow falls the nearby ski resorts also offer guests a natural, cultural and sporting experience.</p>

NORE: Nature of the eco tourist facility - tenuous links at best. There already exists better placed accommodation options for guests that wish to experience what the region has to offer, without upsetting the balance of the existing rural residential area by introducing a commercial venture.

Traffic - access to the development is by 2 easements on adjoining properties, the maintenance of the road is paid by the residents. More traffic will introduce more wear and tear on shared facilities, with the scope to increase danger to local road users. The car parking is jammed in between our boundary and the edge of the cabin, a space of only 6.5m, with no room to reverse safely. Between the 4 cabins and downstairs unit, this could be as many 10 cars on the site! Providing the accommodation guests don't invite additional guests to the facility, which does occur at other accommodation options.

<ul style="list-style-type: none"> <li>- Contain facilities for the teaching, researching or dissemination of knowledge I respect of the natural and cultural history of the area.</li> <li>- Provide opportunities for visitors to experience nature and culture in ways that lead to a greater understanding, appreciation and enjoyment.</li> <li>- Recognise the importance of key natural features to the visitor experience, and where these are off site (eg. National Parks) recognise and address the potential indirect impacts associated with a development.</li> </ul>	<p>Lake Jindabyne located nearby is part of Australian history where the works of the famous Snowy Hydro Scheme can be witnessed.</p> <p>In general the area has an abundance of educational elements in nearby surrounding locations that will offer clients many options and opportunities to experience nature and culture.</p>
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Guests to the region can experience this elsewhere. A quiet rural residential area is not fit for a commercial operation.

Page 18 on Snowy River Local Environmental Plan

***(a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,***

*- The proposal will not have any negative impacts upon the environment or cultural values of the land*

The development will grossly impact the adjoining and local land, forever changing how the land is utilised.

***(b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.***

*- The use of shipping containers as a building provides a sustainable use of building materials and design sensitivity*

Note: In the Site plan material supplied, it states that the cabins will be made from new construction shipping containers. This is hardly sustainable design at work. Big dark blocks scattered along the fence line also suggest that there is a lack of design sensitivity.

***(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.***

*- Eco Tourist facilities are a permitted land use under the Snowy River Local Environmental Plan 2013*

***(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that—***

Whilst eco tourist facilities are a permitted with consent option in the RU1 zone, please note that many other accommodation types are not permitted in this zoning and we see this as a deliberate attempt to circumvent the controls imposed on those types of accommodation developments. There is little to suggest from the supplied materials that this meets requirements or expectations of an eco facility.

<i>(a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and</i>	The proposed site is an area of unique beauty that is characteristic of the high country of NSW. From the cabins, guests will be able to form a visual connection with the Snowy Mountains of Kosciusko National Park. The site itself offers unique features such as alpine gum trees and rocky boulder outcrops that are well known environmental features of the area. The close proximity to both Kosciusko National Park and ski resorts of Perisher and Thredbo as well as the rich history of Lake Jindabyne will ensure guests have opportunities to experience the environmental features and cultural values of the area.
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Note: - Dominant view is across neighbouring farmlands and rural small holdings and up to range that is not the Kosciuszko National Park as described in the SEE.

<i>(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and</i>	The design of the cabins ensures that the minimum extent necessary of ground disturbance is required. The cabins shall be positioned on steel piers. No cut and fill is required as part of the application.
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Note: - Whilst cabins are proposed to use piers to situate the shipping containers, there is no mention of the site disturbance that will be caused by laying additional electrical cabling, sewage facilities or installing the additional driveway and car parking or any additional landscaping, rainwater tanks, airconditioners and hard scaping associated with the cabins.

<i>(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and</i>	The stunning vistas available from the cabins will ensure that guests appreciation of the environment will be enhanced. Along with the views, the close proximity to such places as National Parks, Lake Jindabyne, Ski resorts, biking and hiking trails etc. will accommodate an appreciation of the environmental and cultural values of the locality.
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Note: View is across farmland and small rural residential blocks. Negligible view to Kosciuszko National Park. Development is not in keeping with established land uses.

<i>(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and</i>	<i>cultural values of the locality.</i> There will not be any negative environmental consequences due to the proposed development
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Note: - Additional OSWM facility will cause soil degradation as well as release possible pollutants into the water way. No information provided about renewable energy or water sources, so it is hard to understand this statement of 'no negative environmental consequences', when in actuality they are quite significant to the local area.

<i>(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and</i>	There is a 'restriction to user' on the use of the land that ensures no development occurs within the restricted area. The cabins are located outside of the restricted area to protect natural resources and the natural environment
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Note: - OSWM and absorption trenches are indicated to be hard on the boundary for this restriction on use.

<i>(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and</i>	Waste generation will be minimal as the cabin arrive onsite constructed
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Note: - Waste generated during operation of the eco tourist facility will be considerable and has not been accounted for in any documentation.

<i>(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that</i>	The development is not located on a ridgeline, and will not be visible from any watercourses. The visual impact of the cabins has been
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<i>any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and</i>	minimized due to the size and colour of the cabins. The cabin backdrop is a row of dark established conifer trees that will also aid in minimising any visual impact the cabins may have when viewed from surrounding properties.
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Note:- The development will be visible from the Mowamba River and Steels Creek. The view from our property has not been considered and the location of the cabins 6.5m from our boundary means they will become the dominant feature, reducing our ability to enjoy the established views and surrounding area.

<i>(h) any infrastructure services to the site will be provided without significant modification to the environment, and</i>	Existing power and water supply will be utilized. An additional on-site sewerage management system is required for the development. This will require a S68 approval from Council.
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Note:- Existing water right is for domestic, not commercial use and is not potable. Even connecting to existing services will cause extensive disruption to the site and neighbouring properties through the installation of cables and pipes. The OSWM system is discussed above as creating additional absorption trenches will extensively disrupt the environment.

<i>(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and</i>	Environmentally friendly: Modular builds are more energy-efficient, create less waste and increase the use of sustainable materials. There is also a reduction in the carbon footprint of the build as fewer people are traveling to and from the site.  Due to the small size of the cabins they are able to be heated and cooled much easier than larger buildings. Cross flow windows allow for passive cooling.
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Note:- These cabins only received an average of 4.4 stars out of 10 according to the Nationwide House Energy Scheme supplied as part of the DA. The shipping containers are specified as new build shipping containers and are not recycled. The site will still require significant works to install the proposed OSWM system, electrical and water connections, so the reduction in carbon footprint is negligible. It notes that cross flow windows will allow for passive cooling. These windows face directly into my property and are invasive. There is no mention of the method to heat the cabins, which will be especially important during winter. There is no mention of how renewable energy sources will be supplied. The attached Basix documentation specifies no more than the minimum that is required in a build these days.

<i>(j) the development will not adversely affect the agricultural productivity of adjoining land, and</i>	The proposal will not have any negative impact on the agricultural productivity (if any) on the site.
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Note:- Only mentions their site and not adjoining sites and how they will be impacted.

<p><i>(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment—</i></p> <p><i>(i) measures to remove any threat of serious or irreversible environmental damage,</i></p> <p><i>(ii) the maintenance (or regeneration where necessary) of habitats,</i></p> <p><i>(iii) efficient and minimal energy and water use and waste output,</i></p> <p><i>(iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,</i></p> <p><i>(v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.</i></p>	<ul style="list-style-type: none"> <li>- The development will not create any irreversible environmental damage</li> <li>- The development will not damage any natural habitats</li> <li>- The proposal incorporates the use of existing rainwater tank for water supply, an OSSM for effluent, natural lighting is provided within the containers by skylights.</li> <li>- Once the cabins area in place, the natural environment will no longer be disturbed</li> <li>- Compliance with ISO 14000 and conditions imposed upon development approval issued by Council.</li> </ul>
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Note:- No management strategy has been provided in the documentation supplied that sufficiently addresses the key points. Existing rainwater tank is insufficient to collect and store water required for the dwelling, self contained unit and the 4 cabins. The addition of another OSWM system is excessive considering the location of the site and neighbouring properties.

We refer to the Other Matters for Consideration and dispute statements made in this table.

Other Matters for Consideration	
Criteria	Comment
Scenic Values	The proposed eco cabins will not create negative visual Impact on the surrounding area
Geotechnical	No geotechnical report is required.
Mine Subsidence	The proposal is not within a mines subsidence area.
Contaminated Land	The site is not known to be contaminated and given the proposal will not involve any significant earth works, it is unlikely that the proposal will disturb any potentially contaminated soil.
Acid Sulfate Soils	Not affected
Natural Waterways	The proposal will not interfere or contaminate any natural waterways and will rely on the existing stormwater management measures in place within the site.
Bushfire	The site is not bushfire prone as shown on NSW Planning Portal mapping.
Flora and Fauna	There will not be any negative impacts to any native populations and communities. No trees are required to be removed for the development.
Preservation of Trees and Vegetation	Tree removal as required for the development and bushfire protection measures.
Heritage	The site is not identified as having any European heritage significance. AHIMS search did not identify any indigenous items of significance within the area or on the site.
Social Impact	The development will only positive impacts from a social and economic perspective. With accommodation shortages being experienced within the long term rental and holiday accommodation markets in Jindabyne and surrounding area, the proposed development is deemed positive socially and economically.
Economic Impact	
Street Setback	The proposed street setbacks comply with the DCP and compliment the adjoining development.
Building Bulk	The proposed development will not be visibly prominent from Charlottes Lane nor will it have a bulky appearance when viewed from surrounding properties..
Energy Efficiency	BASIX is not required under the legislation. The design of the cabins ensures that minimum amounts of heating and cooling are required. Water is supplied by rain water from the existing water tank on the site.
Landscape Design	There is more than adequate provision for landscaping on the site
Fencing	No changes to the existing fencing
Traffic and Transport	Access is legal and practical and suitable for the use of an eco-tourist facility
Design of Parking and Service Areas	A car park has been provided for each cabin. Accessible cabin requirement will comply with current Standards
Cut and Fill	Cut and fill is not required. The cabins will be on steel piers therefore only footing holes required
Demolition and Construction Waste Management	Minimal waste only. Any waste will be disposed of at Council refuse centre

Waste Management	N/A
Erosion Prevention and sediment control	To be conditioned upon consent.
Air Quality	The proposal will not impact on the air quality within the area.
Noise and Vibration	The ongoing use of the site is unlikely to create noise or vibration that would have a negative impact on the amenity of the surrounding properties

Scenic Values - Proposed cabins will have significant impact on surrounding area and properties. Will be highly visible along our boundary.

Contaminated Land - OSWM system has potential to cause land contamination.

Natural Waterways - Property has a water way at the rear, topographic maps would show the steep slope of the land, meaning runoff will head into the waterways. This feeds into the Mowamba River where water is supplied to local properties. No plan detailing the existing stormwater systems has been made available.

Flora and Fauna - Local residents are proud to live harmoniously with local fauna and anticipate that this commercial venture will strain the natural balance that occurs. In particular we note, the black cockatoos that use the pine trees on the boundary between the properties and the platypus that are in the Mowamba River. IWe have provided more detail on our concerns relating to local fauna further up in this document.

Preservation of trees and vegetation - Which trees are to be removed? This is not documented anywhere.

Heritage - Cariyna Alpine Village is an adjoining property and one that the site makes use of an easement, there is no mention of the heritage building located here.

Social impact - There is no consideration for the social impact that developing this property will have on other local residents. We value our privacy and quiet peaceful lifestyle, which is what attracted us to the area. It is only considered from the perspective of the developer. Residents are very concerned about the negative impacts of the DA.

Economic impact - Long term accommodation is not applicable here, SRDCP2013 exists to ensure that approvals for tourist accommodation do not become long term accommodation. That is in direct violation of the planning proposal. The economic impact is only positive for the developer, as other residents will bear the burden of increased costs for road maintenance and water supply to the site. It is unfair to disadvantage residents in this manner. Residents also anticipate devaluation of their properties due to this development.

Street setback - We have provided information on setbacks in the RU1 zone above in this submission. The development is located 6.5m from our side boundary and our research indicates this is not in keeping with the SEPP which requires a minimum of 10m from side setbacks. The development does not compliment any adjoining developments. No where else is constructed locally out of shipping containers.

Building bulk - The construction of the cabins is bulky and will be highly visible from my property and other surrounding properties. The cabins will have associated development in the form of driveways and car parking, and amenities that aren't considered in the Documentation.

Energy efficiency - We have provided details above as to why these cabins are minimally energy efficient and will have significant energy requirements, especially in winter. This document states BASIX is not required? However developments over \$50000 do require this certification. Update BASIX supplied in DA tracker information. These are the minimum requirements for sustainability, hardly leading edge as would be expected in an eco tourist facility.

## BASIX<sup>®</sup> Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

### Multi Dwelling

Certificate number: 1083187M\_02

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

Secretary  
Date of issue: Wednesday, 23 September 2020  
To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning,  
Industry &  
Environment

Project summary		
Project name	Charlottes 9 2627_02	
Street address	2 Charlottes Lane Jindabyne 2627	
Local Government Area	Snowy Monaro Regional Council	
Plan type and plan number	deposited 861805	
Lot no.	9	
Section no.	-	
No. of residential flat buildings	0	
No. of units in residential flat buildings	0	
No. of multi-dwelling houses	4	
No. of single dwelling houses	0	
Project score		
Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 40	Target 40

Certificate Prepared by	
Name / Company Name:	Energyraters
ABN (if applicable):	61143274891

This document is the only document that references that air conditioners will be used for heating and cooling. This is not in keeping with the requirements of an eco tourist facility where passive heating and cooling is to be provided. Basix documentation also includes information for kitchens, this is not indicated elsewhere. If this is the case, it is not accurately reflected in the documentation provided.

Landscape design - No plans supplied, however significant parts of the property will be damaged/disturbed during construction so there is a need for a landscape plan.

Traffic and Transport - We would like further clarity on the legality of access provided to the site as it exists, it is a right of carriageway to a residential dwelling. Does changing the purpose of the site to a commercial property change this right of carriage way? Local residents are burdened with the maintenance and upkeep of the road which will experience accelerated degradation due to construction and increased vehicles associated with operation of the proposed eco tourist facility.

Design of parking and service areas - Minimal information has been provided on the installation of a new driveway and carparking spaces which are hard on our boundary as the neighbouring property. These facilities will be disruptive and intrusive to our established land uses and guests will be accessing these cabins as all hours.

Cut and Fill - Required For absorption trenches and installation of services to cabins.

Demolition and construction waste managements - Extra pressure and reliance on council facilities and services.

Waste management - As a commercial operation providing tourist accommodation, a waste management strategy should be a high priority, especially given that council facilities are only provided at the bank of bins near the fire shed, requiring the transport of waste to an appropriate location. No mention of how waste will be stored in supplied documentation.

Air quality - Increased vehicle movements will definitely impact air quality. No mention of what standard is being referenced to make this evaluation.

Noise and vibration - Approval of an eco tourist facility will forever change the peace and tranquility that is associated in this area. The development has massive implications for us as adjoining neighbours on our ability to enjoy the peace and quiet. The impact of the facility and it's associated infrastructure (TVs, stereo/music devices, Airconditioners, pumps etc), it's guests, their vehicles and operations at the location associated with increased maintenance and operation will be extremely intrusive.

## Conclusion

### Suitability of the site for development

The proposal complies with the relevant environmental planning instruments and the Development Control Plan. The Statement of Environmental Effects confirms that the site is suitable and capable of sustaining the proposed development, with no adverse impacts.

#### Submissions Made in Accordance with the Act or regulations:

The development application may require notification to adjoining landowners by Council.

Given the proposals minimal environmental it is unlikely to raise significant objection.

#### The Public Interest

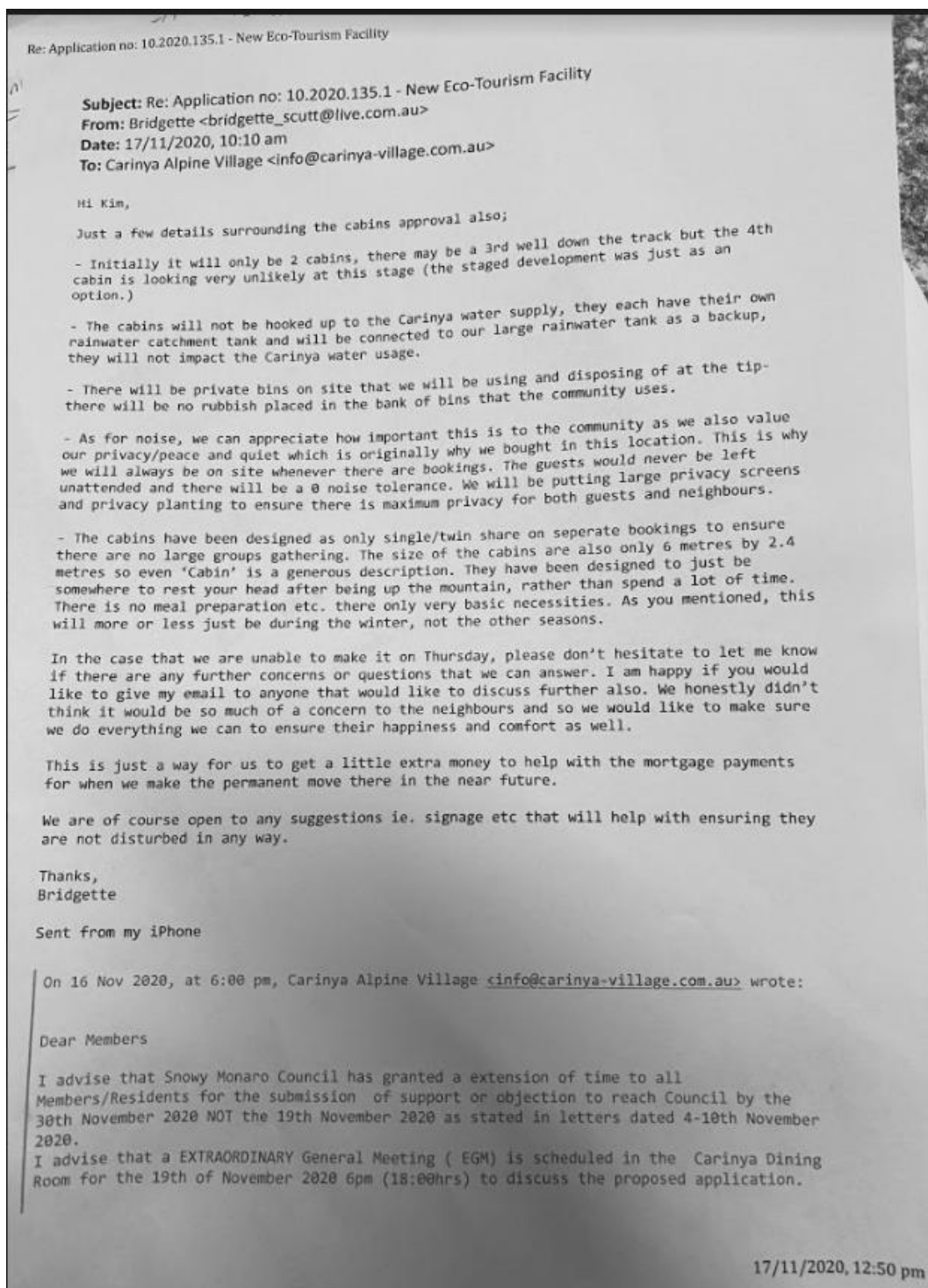
The proposal is in the public interest as:

- It provides a sustainable land use.
- It is positive in terms of social, environmental and economic factors

**Our Conclusion on the Statement of Environmental Effects document :-** Given substantial inaccuracies in the Statement of Environmental Effects and the biased approach it took towards the development and evaluating it's impact. We disagree with most points in this document. Overall, it is lacking in the detail required to provide a considered approach to the development.



**Email correspondence to members of Renwick Pty Ltd - provided at Extraordinary meeting  
18/11/2020**





### **Key points from the email with our responses**

**Staged development** - means the proposed DA is unlikely to meet requirements for an eco tourist facility as applicant states in the email that the disabled access cabin is unlikely to go ahead (see plans - in Stage 2).

**Water Supply** - Information provided in email conflicts with other information provided in documentation which states cabins will be connected to main supplies. This email says they will be connected to rain water tanks. This is unaccounted for in the application, only adding to physical impact made by the cabins. Rainfall would be insufficient to supply the amount needed to maintain facilities, this is discussed further up in the document. Trucking in water as a water source is not very 'eco', adding to the carbon footprint associated with this development and will provide further issues with the road and disturbance to residents through regular access by heavy vehicles.

**Bin location** - Is not identified on plans and we fear these will also be located in close proximity to our property and attract undesirable animals, as well as pose an issue in Jindabyne's frequent high winds, as had occurred previously.

**Privacy** - Email acknowledges the importance of their privacy as well as the quiet nature of the local area. It also states they intend to add 'adding large privacy screens and privacy plantings'. There is no indication of this on the plans provided. This will add further to the impact of the cabins on the area and increase their physical footprint which is already in extreme proximity to our boundary.

Cabins are designed with windows that directly face our property and intrude on our privacy.

**Facilities** - Cabins will be located out of town and guests will be unable to prepare meals according to this email, this will require them to head into town to eat, causing further disturbance to local residents and issues with the road. Even the best of intentions from the applicant can't predict guest behaviour and has not catered for scenarios where guests congregate in large groups outside their cabins or invite over other visitors. There is a lack of information on facilities that will be provided to guests. The BASIX certification indicated a kitchen? Due to heightened accommodation demand in winter, guest movements to and from the property will be in contrast to that of the local residents, causing disturbance especially with early morning starts.

It is noted that 'this is just a little way for us to get some additional money to help with mortgage payments for when we make the permanent move here in the near future'. This suggests the Airbnb has been operating with little oversight from the hosts and that they are out of touch with the ambience of the local area and residents.

Adding additional short term holiday accommodation to the site, will turn this location into a full blown commercial enterprise masquerading under the guise of eco friendly cabins. The comfort of their neighbours will hardly be a priority when they can earn top dollars in peak season. This will come at a cost to other residents in the area as explored above.

### **In Summary**

As neighbours adjoining the proposed development, we strongly urge council to deny the development application approval to proceed or develop 2 Charlottes Lane in this manner.

In summary, this development application unfairly favours the applicant at a cost to other local residents, including ourselves, as the adjoining neighbour. It will have a detrimental impact on our ability to enjoy our property, which we purchased with the intention of residing here long term, forever changing the local character and setting.

- We object to the change in land use, which is incompatible with the lives of the long term residents including ourselves.
- We object to the classification of the project as an eco tourist facility to avoid controls that are applied to other short term accommodation developments.
- We object to this DA not exhibiting compliance with building controls in the RU1 zone.
- We object to this DA being called an eco tourist facility as it devalues legitimate eco tourist developments.
- We object to the invasion of our privacy and the enjoyment of our property being impacted.
- We object to the number of cabins.
- We object to the location of the cabins.
- We object to inconsistent information being provided across the supplied documentation for the DA which is misleading.
- We object to an extra on site waste management system being installed.
- We object to the extra wear and tear on the private community funded road through increased vehicles accessing the proposed DA.
- We object to our property being devalued by this development on the adjoining property.
- We object to having the ability to enjoy our property compromised by the development of this site as an eco tourist facility.

We would like to see the existing accommodation enterprise audited and evaluated against existing approved land uses before any thought can be given to future development.

We would also like to note that the short timeframe and lack of information available initially would make it difficult for anyone to put together a considered response. As more information has been made available, this has been included in this submission. We are aware that there are local residents who are impacted by this development who still haven't received council notification. We believe there is room to improve on this process.

We are supportive of the council's direction to harmonise the different development control plans that exist across the Snowy Monaro Regional Council area and will continue to participate in and provide feedback. It is due to this DA that we have become more informed and aware of the issues and the conflicts that exist between the current development control plans and land uses.

We thank you for taking the time to read our submission and carefully evaluate the development application. Our hope is that Snowy Monaro Council will deny this development application.





RE-PROPOSED development for New Eco Tourist facility on 2 Charlottes lane Jindabyne Lot 9 DP  
861805 Ph Abington

Application Number 10.2020.135.1.

We wish to make an objection to the proposed development above.

We know that 2 Charlottes lane is zoned Rural Residential and we cant believe it could now be zoned as a Commercial Tourist Facility and to have it there would impede on the ambience of our estate and most of all our services.

Our services are provided and controlled by a Services Deed in the name of Renwick Pty. Ltd. (ACN 056120613) registered office Carinya Holiday Village 82 Carinya Lane Jindabyne 2627

There is no way the residential part of Carinya was ever intended for tourists.

Our title deed states no B&B no Poultry Farms and that hasn't changed.

2 Charlottes Lane already runs an Air B&B there and the section they use for the Air B&B is not DA approved by council. Their guests often come late at night cant find the address and come knocking on private homes wakes us up and disturbs us greatly.

I also have concerns for the neighbours who's property it adjoins being so close to their property line

I believe they should all be at least 30 metres from the fence line which to me some buildings were only 6 metres away.

These are only some of my objections but I'm sure the other residents will have covered them.





29<sup>TH</sup> November 2020

Objection for DA 2 Charlottes lane. jindabyne

To Whom it may concern



As a example EURIE EURIE ( being a B&B) on Carinya lane has proven to be a consistent problem with residents , I cannot count how many of their guests have turned up at my establishment at all hours of the night disturbing guests and Management after closing hours requesting directions - not assisting the matter is that there is no mobile phone coverage resulting in some people becoming quite agitated driving recklessly down the road .

I expect that the proposed DA will cause the same problem.

Carinya Lane is a single vehicle access and is a Private road belonging to Members of Renwick Pty Limited – the Members ( being the residents ) pay for the use of this Road and its up keep they pay per household – having extra traffic is a unfair burden to them, having water delivery vehicles etc will effect the road conditions . The residents have right of Carriageway.

I understand that initially only 2 Ecco Cabins will be built and the balance at a later stage however it seems that the Granny flat that can sleep up to 8 people under the house has not been mentioned although it has been used as a B&B through Stayz etc.

I'd expect that this development if successful will most definitely reduce the value of the neighbouring properties.

I ask Council to consider the above.

I object to this DA being approved





# Development Application

made under the Environmental Planning and Assessment Act 1979 Section 78A

Office Use Only	
DA Number	10.

## PLEASE COMPLETE ALL SECTIONS

APPLICANT			
Name/Company: BRIDGETTE GRENFELL		Phone:	
Contact Name (if Company):		Fax:	
Postal Address: 95 PADDY MILLER AVE		Mobile: 0434 033144	
Town: CURRANS HILL	State: NSW	Postcode: 2567	Email: bridgette_scutt@live.com.au

OWNER			
Name/Company: 'AS ABOVE'		Phone:	
Contact Name (if Company):		Fax:	
Postal Address:		Mobile:	
Town:	State:	Postcode:	Email:
Is the subject land Crown Land <b>NO</b> <input checked="" type="checkbox"/> <b>YES</b> <input type="checkbox"/> → Please attach Authority			
OFFICE USE ONLY		NAR Numbers	

LAND TO BE DEVELOPED (Please attach additional sheet if inadequate space provided)					
No: 2	Street: CHARLOTTE LANE			Town: JINDABYNE	
Lot: 9	Section:	DP/SP: 861805	Lot:	Section:	DP/SP:
Lot:	Section:	DP/SP:	Lot:	Section:	DP/SP:
OFFICE USE ONLY		Parcel Numbers			

PROPOSED DEVELOPMENT	
Description of development: Install & erect four [4] new prefabricated Eco Cabins.	
<input checked="" type="checkbox"/> Erect, alter or add to a building or structure <input type="checkbox"/> Subdivide land or building <input type="checkbox"/> Other (specify): <input type="checkbox"/> Change the use of land or building (or classification under the BCA) <input type="checkbox"/> Demolition <input type="checkbox"/> Carry out a work <input type="checkbox"/> Signage/Advertising	
TYPE OF DEVELOPMENT (tick all that apply)	
<input type="checkbox"/> Single dwelling <input type="checkbox"/> Residential alterations/additions <input type="checkbox"/> Multi-Unit <input type="checkbox"/> Second Occupancy <input type="checkbox"/> Seniors Living <input type="checkbox"/> Other residential <input type="checkbox"/> Mixed	<input type="checkbox"/> Storage Shed <input type="checkbox"/> Garage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial/Business <input type="checkbox"/> Retail <input type="checkbox"/> Office <input type="checkbox"/> Food Premises
<input type="checkbox"/> Tourist <input type="checkbox"/> Subdivision <input type="checkbox"/> Infrastructure <input type="checkbox"/> Community/Education Facilities <input type="checkbox"/> Education Facility <input type="checkbox"/> Event <input checked="" type="checkbox"/> Other	

COST (including materials and labour)	
This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimated cost is required.	
COST (including materials and labour): \$ 100,000	

STAGED DEVELOPMENT	
Are you lodging a <a href="#">Staged Development Application</a> ? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Section 83B of the <i>Environmental Planning and Assessment Act 1979</i> defines a staged Development Application (DA) as one which sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs. The application may set out detailed proposals for the first stage of development.	
INTEGRATED DEVELOPMENT (Approvals from State Agencies)	
Is this application for <a href="#">Integrated Development</a> ? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Please tick which other approvals are required. If yes Council requires an additional set of plans, a Statement of Environmental Effects (SEE) and a fee for each relevant government agency. Please check with Council for current applicable fee.	
Roads Act 1993 <input type="checkbox"/> <a href="#">s138</a>	Heritage Act 1977 <input type="checkbox"/> <a href="#">s58</a> National Parks and Wildlife Act 1974 <input type="checkbox"/> <a href="#">s90</a>
Rural Fires Act 1997 <input type="checkbox"/> <a href="#">s100B</a>	Protection of the Environment Operations Act 1997 <input type="checkbox"/> <a href="#">s43(a)</a> <input type="checkbox"/> <a href="#">s43(b)</a> <input type="checkbox"/> <a href="#">s43(d)</a> <input type="checkbox"/> <a href="#">s47</a> <input type="checkbox"/> <a href="#">s48</a> <input type="checkbox"/> <a href="#">s55</a> <input type="checkbox"/> <a href="#">s122</a>
Petroleum (on shore) Act 1991 <input type="checkbox"/> <a href="#">s9</a>	
Fisheries Management Act 1994 <input type="checkbox"/> <a href="#">s144</a> <input type="checkbox"/> <a href="#">s201</a> <input type="checkbox"/> <a href="#">s205</a> <input type="checkbox"/> <a href="#">s219</a>	Water Management Act 2000 <input type="checkbox"/> <a href="#">s89</a> <input type="checkbox"/> <a href="#">s90</a> <input type="checkbox"/> <a href="#">s91</a>
Mine Subsidence Compensation Act 1961 <input type="checkbox"/> <a href="#">s15</a>	Mining Act 1992 <input type="checkbox"/> <a href="#">s63</a> <input type="checkbox"/> <a href="#">s64</a>
Integrated Development is defined by the Environmental Planning and Assessment Act 1979 as development which needs a Development Consent and one or more additional approvals under the Acts mentioned above in order to be legally carried out. Further explanatory notes are available from Council on request.	
IS/DOES THE PROPOSED DEVELOPMENT:	
	YES NO
Designated Development <sup>▲</sup> ?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Likely to significantly affect a threatened species, population or ecological community, or it's habitat?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Involve the use of or work on a Crown Road Reserve or other land owned by the Crown?	<input type="checkbox"/> <input type="checkbox"/>
Development by the Crown? (Part 5A of the Act applies to development by the Crown)	<input type="checkbox"/> <input checked="" type="checkbox"/>
On land which is also subject to a Property Vegetation Plan under the <i>Native Vegetation Act 2003</i> ?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Development which requires a Site Compatibility Certificate from the Department of Planning prior to lodgement in accordance with <i>State Environmental Planning Policy (Infrastructure) 2007</i> , <i>State Environmental Planning Policy (Housing for seniors or people with a disability) 2004</i> , or any other State Environmental Planning Policy?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Development which requires a <a href="#">BASIX Certificate</a> ?	<input checked="" type="checkbox"/> <input type="checkbox"/>
Involve land which has easements or restrictions on the Title? (If yes, please specify the nature of these easements or restrictions in your Statement of Environmental Effects)	<input checked="" type="checkbox"/> <input type="checkbox"/>
Likely to affect a threatened species, population or ecological community protected under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> ?	<input type="checkbox"/> <input checked="" type="checkbox"/>
Require an approval under Section 68 of the <i>Local Government Act 1993</i> for any of the activities listed on the next page?	<input checked="" type="checkbox"/> <input type="checkbox"/>
<i>Biodiversity compliant development</i> <sup>❖</sup> ? If yes, please specify the reason in your Statement of Environmental Effects	<input type="checkbox"/> <input checked="" type="checkbox"/>
Require <i>Concurrence</i> <sup>❖</sup> from any authorities?	
Is the proposal <a href="#">State significant development</a> ? If yes, please provide (a) a list of authorisations and the applicable Act, (b) the capital investment value of the development.	<input type="checkbox"/> <input checked="" type="checkbox"/>
Is the land the subject of this application critical habitat?	<input type="checkbox"/> <input checked="" type="checkbox"/>



APPROVALS UNDER SECTION 68 – LOCAL GOVERNMENT ACT, 1993	
Do you wish to carry out any S68 activities (listed below) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES – Complete details below	
<p>If you wish to carry out one of the following activities, you need the approval of Council. Identify the activities you propose to carry out, and the relevant documents you need to include in your Application, by placing a cross in the appropriate boxes. Please include the relevant documents as detailed in the Section 68 Checklist with your Application. Note: Alternatively these can be applied for separately using 'Section 68 Application' form.</p> <p>Under Section 78A of the <i>Environmental Planning and Assessment Act 1979</i> a person can apply to Council for both a development consent and a S68 Approval in the one Development Application. In determining the Development Application, Council may apply any of the provisions under the Local Government Act 1993 that it could apply if the Development Application were an application under that Act for the relevant approval. In particular, if the Development Consent is granted, Council may impose a condition that is authorised under that Act to be imposed as a condition of consent.</p> <p>In granting a Development Consent in which a Section 68 approval is also contained, Council may, (without limiting any other condition in the Consent) impose in relation to the approval taken to have been granted under Section 68, either or both of the following conditions:</p> <p>(a) A condition that the approval is granted only to the applicant and does not attach to or run with the land to which it applies.</p> <p>(b) A condition that the approval is granted for specific time.</p>	
<p><b>A Structures</b></p> <p><input type="checkbox"/> A1 Installing a manufactured home, moveable dwelling or associated structure on land.</p> <p><b>B Water supply, wastewater and stormwater drainage work</b></p> <p><input type="checkbox"/> B1 Carrying out water supply work. Please choose:  <input type="checkbox"/> Install/alter private ^ water system  <input type="checkbox"/> Install/alter public infrastructure  <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B2 Draw water from a Council water supply or a standpipe or sell water so drawn.</p> <p><input type="checkbox"/> B3 Install, alter, disconnect or remove a meter connected to a service pipe.  <input type="checkbox"/> Establish new water service/meter connection  <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B4 Carry out wastewater drainage work.  <input type="checkbox"/> Establish new wastewater consumer service  <input type="checkbox"/> Install/alter internal wastewater drainage  <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B5 Carry out stormwater drainage work.</p> <p><input type="checkbox"/> B6 Connect a private drain or wastewater drain with a public drain or wastewater drain under the control of a Council or with a drain or sewer which connects with such a public drain or wastewater drain.</p> <p><b>C Management of waste</b></p> <p><input type="checkbox"/> C1 For fee or reward, transport waste over or under a public place.</p> <p><input type="checkbox"/> C2 Place waste in a public place.</p> <p><input type="checkbox"/> C3 Place a waste storage container in a public place.</p> <p><input type="checkbox"/> C4 Dispose of waste into a wastewater drain of the council.</p> <p><input type="checkbox"/> C5 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. (eg Install Septic System, AWTS etc) Please choose:  <input type="checkbox"/> Aerated Waste Treatment System (AWTS)  <input type="checkbox"/> Dry Composting System  <input type="checkbox"/> Septic Tank  <input type="checkbox"/> Wet Composting System  <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> C6 Operate a system of wastewater management (within the meaning of Section 68A).</p>	<p><b>D Community Land</b></p> <p><input type="checkbox"/> D1 Engage in a trade or business.</p> <p><input type="checkbox"/> D2 Direct or procure a theatrical, musical or other entertainment for the public.</p> <p><input type="checkbox"/> D3 Construct a temporary enclosure for the purpose of entertainment.</p> <p><input type="checkbox"/> D4 For fee or reward, play a musical instrument or sing.</p> <p><input type="checkbox"/> D5 Set up, operate or use loudspeaker or sound amplifying device.</p> <p><input type="checkbox"/> D6 Deliver a public address or hold a religious service or public meeting.</p> <p><b>E Public roads</b></p> <p><input type="checkbox"/> E1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.</p> <p><input type="checkbox"/> E2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.</p> <p><b>F Other activities</b></p> <p><input type="checkbox"/> F1 Operate a public car park. ⇄</p> <p><input type="checkbox"/> F2 Operate a caravan park or camping ground.</p> <p><input type="checkbox"/> F3 Operate a manufactured home estate.</p> <p><input type="checkbox"/> F4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance.</p> <p><input type="checkbox"/> F5 Install or operate amusement devices (within the mean of the Construction Safety Act 1912).</p> <p><input type="checkbox"/> F6 Use a standing vehicle or any article for the purpose of selling any article in a public place.</p> <p><input type="checkbox"/> F7 Carry out an activity prescribed by the regulations or an activity of a class or description by the regulations.</p> <p><b>Note:</b></p> <p>^ <i>Private</i> means work/infrastructure that will be the responsibility of landowners, usually all development from the water meter or sewer tapping point, back to the dwelling/building.</p> <p>• <i>Public</i> means work/infrastructure that will be handed over to the responsibility of Council, eg, Council mains work/extensions etc.</p>

REQUIRED ATTACHMENTS		
<input checked="" type="checkbox"/> 1 copy of the relevant Council checklist/s applying to the proposed development. <input checked="" type="checkbox"/> All plans/reports/documentation required by the above checklist. <input type="checkbox"/> 1 copy of directional map/details to the site for remote rural properties.		
POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT [Sec 147 (4) EP&A Act]		
Have you or any person with a financial interest in this development application made a political donation or gift within the last 2 years? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – please complete and attach a Political Donations and Gifts Disclosure Statement (available from Council's website).		
Applicants Signature <i>B. Grenfell</i>	Name BRIDGETTE GRENPELL	Date 21.10.20
CONSENT OF ALL OWNERS		
All owners must sign this application form or provide written authority for the lodgement of the application. <b>Note: Company Ownership</b> In the case of a company ownership, in accordance in s127 of the Corporations Act 2001, please state in the signature/name area the authority of each signatory (Director/Secretary etc) (eg as Director of ABC Holdings Pty Ltd) OR attach further documentation as required. <input type="checkbox"/> Owners consent attached OR ↓		
As the owner/s of the above property described in this application I/we consent to its lodgement. I/we hereby permit any duly authorised officer of Snowy Monaro Regional Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration the Act(s), Regulations, or Planning Instruments. We advise that as landowners we are not aware of any known hazards that may be of harm to officers visiting the site.		
Signature <i>B. Grenfell</i>	Name BRIDGETTE GRENPELL	Date 21.10.20
Signature <i>J. Grenfell</i>	Name JOEL GRENPELL	Date 21.10.20
DECLARATION AND SIGNATURE OF APPLICANT		
Text		
I/we the undersigned hereby apply for approval of the development proposal as described and as per the plans and specifications and documents accompanying the Application. I/we undertake to develop in accordance with any approval granted by Council and conform with the provisions of the relevant Act(s), Regulations, codes and the Local Environmental Plan. I/we further undertake to pay any fee or charge assessed by Council in connection with development and indemnify Snowy Monaro Regional Council against all claims arising from negligence (or otherwise) resulting from work carried out in connection with the development within the road reserve.		
Signature <i>B. Grenfell</i>	Name BRIDGETTE GRENPELL	Date 21.10.20
Signature <i>J. Grenfell</i>	Name JOEL GRENPELL	Date 21.10.20
SITE WORKS MUST NOT COMMENCE WITHOUT COUNCIL APPROVAL		
Construction materials purchased/work done/arrangements made prior to consent are at the owner/applicants' risk.		
<p>★ <u>Designated Developments</u> are listed in Schedule 3 of the Environmental Planning and Assessment Regulations 2000. Special procedures apply to the notification and assessment of Designated Development under the Act)</p> <p>❖ Development that requires <u>Concurrence</u> is listed in 79B of the Environmental Planning and Assessment Act 1979.</p> <p>❖ <u>biodiversity compliant development</u> means:</p> <p>(a) development proposed to be carried out on biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995, or</p> <p>(b) development in respect of which a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995, or</p> <p>(c) development to which the biodiversity certification conferred by Part 7 of Schedule 7 to the Threatened Species Conservation Act 1995 applies, or</p> <p>(d) development for which development consent is required under a biodiversity certified EPI (within the meaning of Part 8 of Schedule 7 to the Threatened Species Conservation Act 1995).</p>		