

Barlings Beach – PPG response to submissions in response to Stage 2 Section 96 Application Amendment 5

Eurobodalla Shire Council	PPG Response
Side Setbacks Proposed side setbacks should be consistent with Council's Current Development Control Plan and Draft DCP - being 3 metres. Council has advised that if the setback is required to be varied, then it should be done so at with a Development Application. Any development application seeking to vary the side setback to 2 metres, should demonstrate severe site constraints which would compromise the proposed development.	Noted. Will advise applicants and purchasers accordingly.
Section 94 Contributions (subdivision) At the time of issue of a Subdivision Certificate the applicant shall pay Council contributions per additional lot at the rate current at the time of payment under Section 94 of the Environmental Planning and Assessment Act 1979, applies to this subdivision in relation to the following: * Open Space and Recreation \$339.15 * Waste Facilities \$107.75 * Cycleway and Pedestrian Facilities \$29.25 * Administration \$87.65 * Arterial Roads \$2422.25 Note: The above contributions are reviewed at least annually and may be subject to increases as a result of indexation or other forces. Water and Sewer Headworks Pursuant to Section 64 of the Local Government Act 1993 payment to Council of headworks charges per additional allotment as follows: Sewer Headworks \$8865.00 Water Headworks \$10185.00 Note: The above contribution rates are applicable for a period of 3 months from the date of this notice. If not paid within this time contributions are to be paid at the time of issue of subdivision or occupation certificate at the rates applicable at that time.	Noted.
Resident Objection	
Objection to increase in lots for Stage 2. Queries how many additional lots will be proposed in subsequent stages.	Appears to have misunderstood the application. The application includes stages 1a to 5 and no additional lots area contemplated within these stages.
Objection to decrease in side setbacks	Noted. See comments above.
Objection to encroachment into Conservation Area by 10m.	Appears to have misunderstood the proposal. The affectation of the extent of the approved APZ is proposed to be reduced by 10m. The application is returning 10m of land affected by clearing requirements of the APZ.

Department of Planning	
There is some concern regarding the viability of the SEPP 26 Littoral Rainforest, given that the vegetation at the base of the escarpment (currently approved to form part of the northern conservation area), which includes coastal Banksia/Eucalypt forest– provides protection to the rainforest from onshore winds. Removal of vegetation at the base of the escarpment for APZ purposes has the potential to remove the “protective” function of the vegetation, and may lead to changes to the composition and quality of the SEPP 26 Littoral Rainforest. A drier type of vegetation on the slope would be more susceptible to fire, endangering the houses on the top of the escarpment. It is considered that to provide an adequate buffer to the SEPP 26 vegetation, that “new” allotments 54 to 135 be reduced in length by a further 10 metres. Please submit amended plans identifying this.	The land has an approval for a 30m APZ within the northern conservation area. The submitted application reduces the land affected by the approved APZ by 10m and thereby increases the extent of undisturbed flora in the northern Conservation Area. In addition, following discussion with the Department of Planning, the proposal has been amended to further reduce the land affected by the proposed APZ proposed within the proposed ‘new’ allotments 54 to 135 by an additional 10m. Further, in response to the matters raised in relation to clearing arising from land designated as an APZ, and following further discussion with the RFS and PPG’s bushfire consultant Matt Jones, the extent of the APZ within the allotments has been reduced to 15m. See enclosed amended drawings and letter dated 21 June 2010 from Matt Jones.
Request a copy of the Vegetation Management Plan required as a Condition of Consent for the original application.	Provided on 7 June 2010.
Request a plan with the SEPP 26 Littoral rainforest overlaid on the plan of subdivision	Provided 9 June 2010
Rural Fire Services	
RFS Satisfied with proposal	Noted
DECCW	
DECCW (Coastal Unit) Supportive of conclusions, satisfied with report.	Noted
DECCW – (Ecology and Aboriginal Cultural Heritage) Yet to comment	
Mogo LALC Yet to comment	