

DRAFT

Development Control Plan

Gwandalan

2011

NSW Department of Planning

Development Controls for Gwandalan Development Lands

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This Development Control Plan (DCP) may be amended from time to time. Proposed amendments are required to be advertised and exhibited in draft form and any submission received must be considered before the amendment plan is adopted. People using this DCP should ensure that they have the current copy of the plan, including any amendments.

Adopted date:	
Effective:	
Certified in accordance with the Environmental Planning and Assessment Act 1979 and Regulations	Director General Department of Planning
	Dated:

1 Advisory

1.1 What is this Plan Called?

This Plan is called “Gwandalan Development Control Plan 2011”.

1.2 Where does this Plan Apply?

This plan applies to the land at Gwandalan being that part of lot 3 DP 588206 within the South Wallarah Peninsula State Significant Site.

1.3 What is the Purpose of this Plan?

The purpose of this plan is to provide requirements for quality development and environmental outcomes on the site.

1.4 What are the Aims of this Plan?

The aims of this plan are:

- To identify the expectations and requirements for development within the site;
- To identify approaches and techniques which promote quality development outcomes on the development site; and
- To ensure that development of the site respects the values of adjoining lands and provides quality environmental outcomes.

1.5 What Types of Development does this Plan Cover?

The plan applies to all development on the Gwandalan State Significant Site.

1.6 How does this Plan Relate to Other Plans?

This plan has been prepared in accordance with Division 6 of the Environmental Planning and Assessment Act, 1979 and Part 3 of the Environmental Planning and Assessment Regulation, 2000.

The plan is generally consistent with the provisions of SEPP (Major Development) 2005 as amended.

1.7 What does this Plan Contain?

The content of this plan is prescribed by SEPP (Major Development) 2005, Schedule 3, Part 14, Clause 29. The subject land is part of the South Wallarah Peninsula State Significant Site. Clause 29 is reproduced below.

29 Development Control Plan

- (1) The objective of this clause is to ensure that development on land within Zone R2 Low Density Residential occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*
- (2) Development consent must not be granted for development on land within Zone R2 Low Density Residential unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*
- (3) The development control plan must provide for all of the following:*
- (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,*
 - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
 - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
 - (d) a network of passive and active recreational areas,*
 - (e) stormwater and water quality management controls,*
 - (f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
 - (g) detailed urban design controls for significant development sites,*
 - (h) measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
 - (i) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*

Matters not addressed by this Plan.

Not all of the above matters listed under Clause 29 are relevant for the Gwandalan site. The scope of the provisions is designed to cater for all sites included in the South Wallarah Peninsula State Significant Site.

Accordingly, the matters listed as (d), (g), (h) & (i) are not addressed in this Development Control Plan (DCP).

2 Site Planning and Statutory Arrangements

The Environmental Planning Instrument for the site is SEPP (Major Developments) 2005.

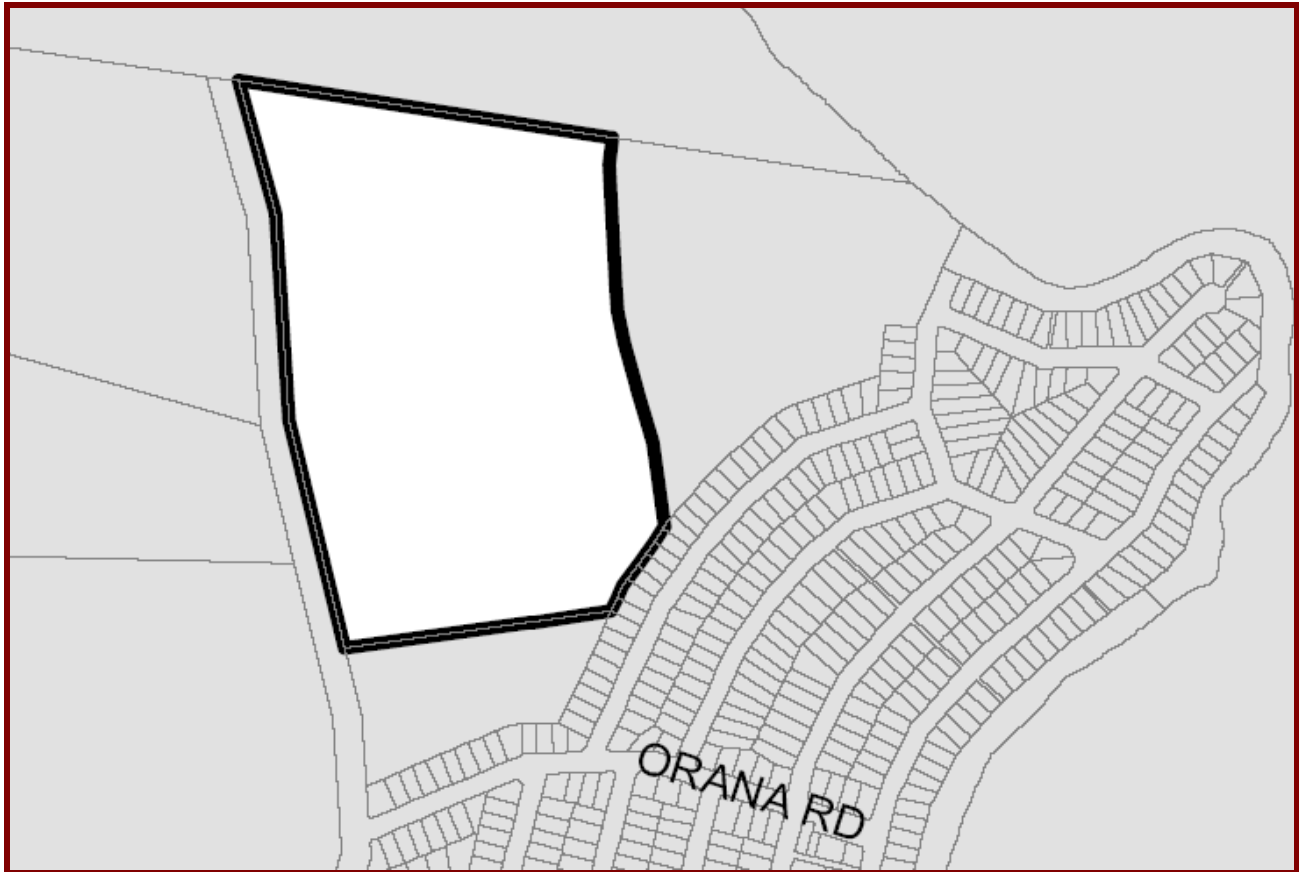


Figure 1 The Gwandalan section of the South Wallarah Peninsula State Significant Site

The site is zoned R2 Low Density Residential and E2 Environmental Conservation under the SEPP.

Adjoining land is zoned under Wyong LEP 1991 as 2(a) Residential, 5(a) School, 6(a) Open Space and 7(b) Scenic Protection.

All SEPPs apply to the site except SEPP 1 and SEPP 71.

The purpose of the DCP is to provide additional detail for development on the site that ensures future subdivision and building development is consistent with the values of the site and locality.

Under SEPP (Major Developments) 2005 the initial subdivision of the R2 zoned land will be a 3A project. Subsequent residential development will be Part 4 development with Wyong Council being the relevant consent authority.

SEPP (Exempt and Complying Development Codes) 2009 will provide basic planning controls for future residential development on the site.

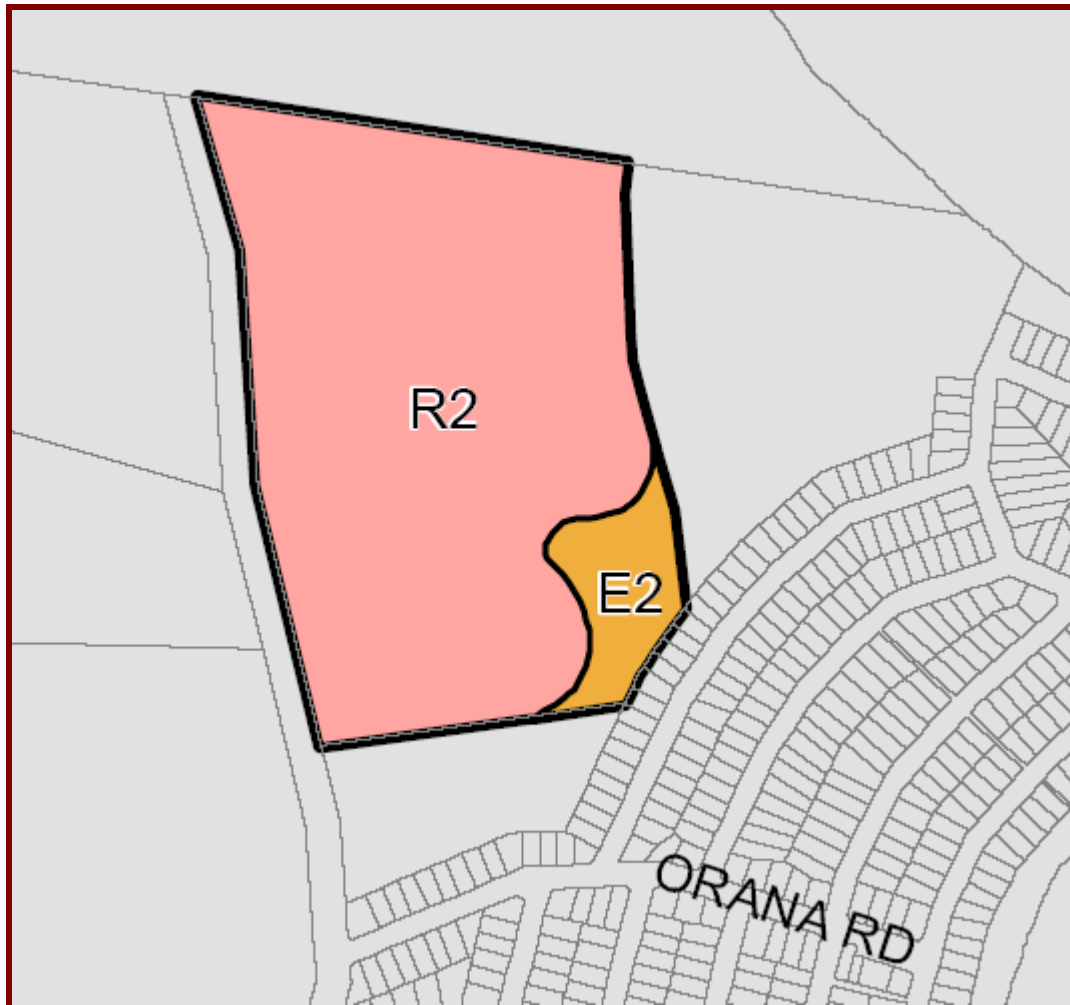


Figure 2 Zones applying to the site

Wyong DCP

Where necessary Wyong DCP controls are referenced by this DCP and will apply to development on the site.

Where this DCP is silent on a relevant matter any relevant provisions of Wyong DCP are to be considered.

It is intended that Wyong DCP Chapter 100 - Quality Housing Controls provide built form controls for future development of dwelling houses on the lots created by subdivision of the Gwandalan site.

3 Site Requirements

Based on the characteristics of the site a range of matters need to be addressed in future approvals over the site.

3.1 Existing Development

The site is approximately 16 ha in total area and is zoned R2 Low Density Residential with some 2 ha of E2 Environmental Conservation.

Two residences and a range of facilities and improvements are located on the site.

A foreshore residence, pool, boat shed, large pond and harbour occupy the foreshore area to the east of the site. There are also farm sheds, paddocks, fencing, tennis courts, dams and other buildings located on this land.

Gwandalan public school is located to the south of the site.

Large areas of the site have been cleared for access, paddocks, an orchard and landscaping.

East of the school and on the site boundary are developed residential lots.

On the sites northern boundary is the Point Wollstoncroft Recreation camp. This is part of the Lake Macquarie State Conservation Area.

- ***Adjoining development must be adequately addressed in subdivision design.***
- ***The subdivision pattern is to be consistent with existing Gwandalan development.***

3.2 Topography and Drainage

Site drainage is through a pond and small harbour to Lake Macquarie.

Uncontrolled drainage from the adjoining school site is creating an erosion scour. The site has a number of very small catchments and no permanent natural drainage lines.

Significant alteration of drainage has resulted from the construction of dams and ponds. Drainage channels have been created on the lower areas of the site.

- ***Site drainage controls are required to protect Lake Macquarie.***

3.3 Flooding and Climate Change

The adjoining land to the east is flood prone and subject to sea level rise considerations.

Lake Macquarie City Council has identified a 100 year climate change planning level of 2.85 metres AHD for development on land adjoining Lake Macquarie. The Lake Macquarie current flood planning level is 1.88 metres AHD.

- ***New development must be in accordance with relevant flooding and climate change requirements.***
- ***Minimum floor and site levels should apply to new residential development.***

3.4 Soils

There is an area of fill outside the site where the drainage controls are to be located. There are also potential acid sulphate soils in this area.

The soil types on the upper areas of the site have a high erosion hazard.

- ***Site development and proposed drainage controls are required to address erosion and sedimentation issues.***
- ***An acid sulphate management plan will be required for any excavations in areas of potential acid sulphate soils.***

3.5 Vegetation and Habitat

Approximately 70% of the site remains under native vegetation. Vegetation will need to be removed to achieve residential development in accordance with the zonings.

The 2 main vegetation types on the site are Narrabeen Scribbly Gum forest and Narrabeen Sheltered Peppermint Apple forest. A small area of Endangered Ecological Community lies on the northern boundary of the site close to the Lake but is outside the development footprint.

Extensive surveys have found that no threatened animal species are dependent on the site. The site supports a large number of clumps of the threatened plant species *Tetratheca juncea*.

An approval under the EPBC Act for residential, retail and commercial purposes (the "action") over 18 ha of land at Gwandalan and Catherine Hill Bay) was granted on 27 February 2009 by the Minister for the Environment, Heritage and the Arts. The approval requires the action to be under taken "*generally as described in the final Catherine Hill Bay and Gwandalan Concept Plan.....including the dedication of lots 104, 105 and 107 as conservation area*" ("**Environmental Offset Land**"). The Environmental Offset Land dedications were the environmental offsets for the development (actions) at Catherine Hill Bay and Gwandalan. Even though the Concept Plan Approval for the site was declared invalid by the Court in 2009, the Environmental Offset Land dedications as environmental offsets have already taken place in accordance with the Concept Plan Approval.

The Environmental Offset Land dedication provides the offsets for the loss of vegetation have and the EPBC approval addresses the clearing of the site.

The site is identified as bushfire prone land on Council mapping with bushfire hazard to the north and west.

- ***Subject to Asset Protection Zone (APZ) and safety requirements, native trees are to be retained on lots with a boundary to the Lake Macquarie Conservation Area.***

3.6 Climate and Orientation

The site is open to summer north easterly breezes across the Lake. Sloping generally to the east it is protected from colder southerly and westerly winds.

The shape of the site is conducive to a north south grid pattern of streets that provides for subdivision lots with good solar orientation.

- ***Subdivision and dwelling design is to be in accordance with solar access principles.***

3.7 Adjoining Land Use

To the east is a private residence and Lake Macquarie. Residential development and the school adjoin the southern boundary.

The land to the north is owned by NPWS but is operated as a recreation camp by the NSW Department of Sport and Recreation. Access to the camp and adjoining land is limited by child protection requirements.

There are views into the site from Lake Macquarie but other than this, views into and across the site are limited. The site does not form a major part of any local views.

To the south is the Gwandalan Public School which addresses Kanangra Drive. The school drains to the subject site.

- ***The access requirements of the school are to be considered in subdivision design.***



Figure 3 Site features and surrounding land use

4 Site Planning Objectives

The overall site planning objectives are to protect existing values while allowing sensitive development of the Gwandalan site.

The main objective is to achieve a high standard of residential development allowing for achievement of the density of 12 dwellings per hectare identified in the Wyong Residential Development Strategy.

In realising this overall objective, development on the site will need to achieve:

- ***Consistency with the existing urban form of Gwandalan;***
- ***A hierarchy of streets including a bus route and internal streets which are sized and landscaped to reflect residential amenity including walking and cycling;***
- ***High residential amenity/streetscape; and***
- ***Provision of adequate services.***

Specific considerations for new development are:

- ***Ensuring drainage does not adversely affect Lake Macquarie;***
- ***Minimising edge effects on adjoining conservation lands;***
- ***Providing high amenity living and standards of urban design;***
- ***Roads provided to Wyong Shire Council standards; and***
- ***Walkable subdivision.***

5 Development Principles

The GWANDALAN site can be divided into a number of discrete areas for planning and design purposes being:

- State Conservation Area frontage on the northern boundary
- Kanangra Drive frontage on the western boundary
- The School frontage
- The drainage line leading from the school
- Central areas of site

The development principles for each area are:

State Conservation Area frontage

- ***Ensure that lots can be managed in accordance with bushfire and conservation requirements.***

Kanangra Drive frontage

- ***Provide lot sizes that allow for adequate bushfire protection***
- ***Houses to address Kanangra Drive (rear access from within the site)***
- ***Adequate provision made for drainage off Kanangra Drive***

School frontage

- ***Provide access to school***
- ***No residential development along the school boundary***

Drainage line

- ***Retain as open space***

Central areas of site

- ***Provide high amenity residential development and streetscaping to Wyong Shire Council standards***

Overall principles

- ***Limit / restrict access to Conservation Area***
- ***Protect Lake Macquarie***
- ***Reinforce the character of Gwandalan***

Principles to be applied to subdivision design are:

- ***Integration with existing Gwandalan subdivision allowing varied housing designs and lot sizes***
- ***Protection of the environment and environmental sustainability***
- ***Minimising environmental impact***
- ***Use of Water Sensitive Urban Design principles in stormwater design***
- ***Protection of the water quality of Lake Macquarie***
- ***Water and energy efficiency***
- ***Maximisation of solar access***
- ***Use of rain water tanks***
- ***Housing choice***
- ***Variation in lot sizes to achieve a mix of housing designs and opportunities***

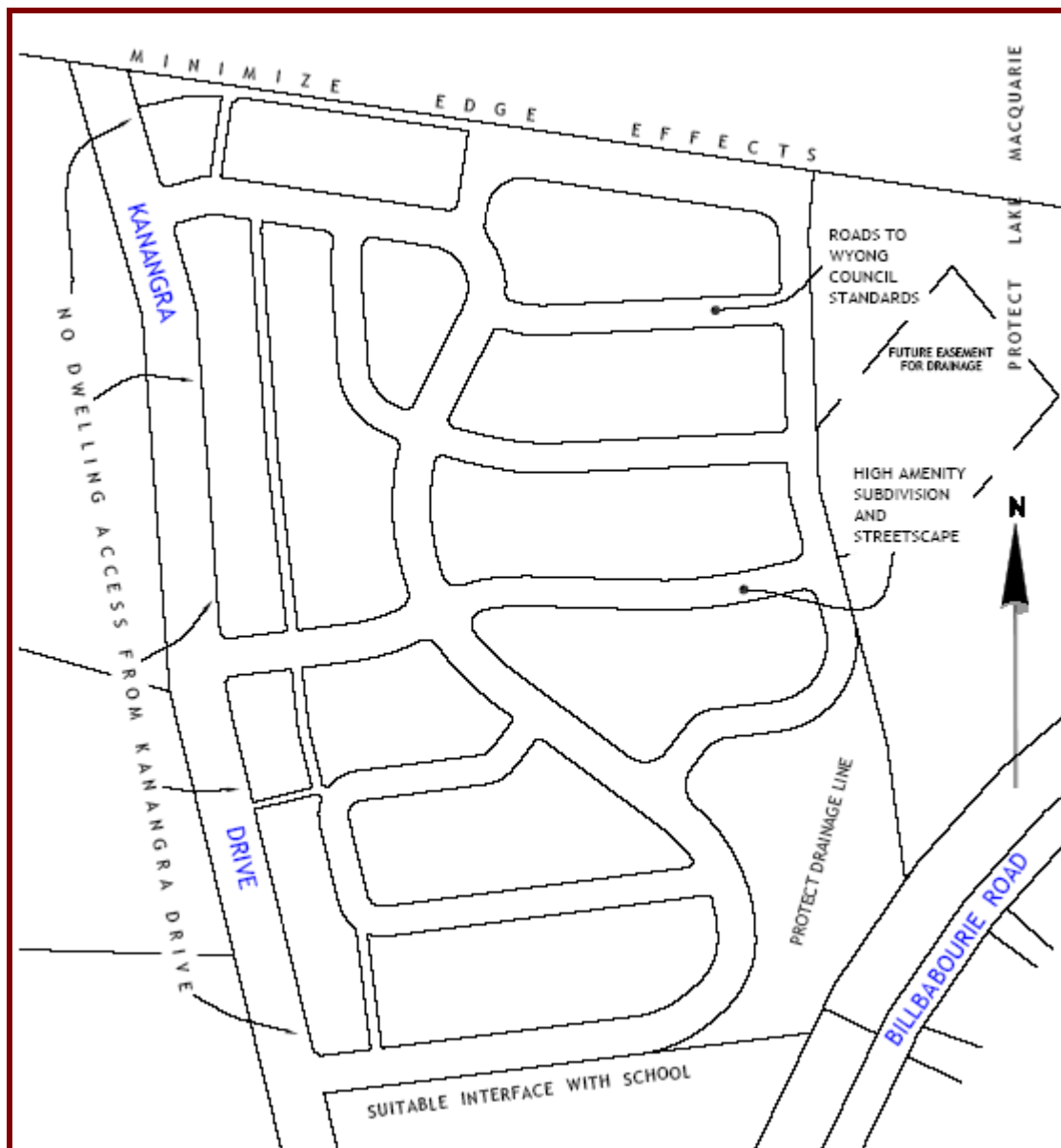


Figure 4 Summary of development principles

6 Conservation and Interface issues

The Gwandalan site is adjoined by land that is State Conservation Area.

The NPWS has guidelines for development on adjoining land. The guidelines have the purpose of ensuring that development has minimal impact on conservation values.

The main problems are edge effects caused by development which brings changes to vegetation, microclimate and hydrology and introduces pressures from weeds, rubbish domestic pets and increased recreational use of natural areas.

A Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act approval has been obtained for residential development of the site. The dedication of the Environmental Offset Land provides major environmental offsets as a requirement of the EPBC approval. The offset is the dedication of high conservation value bush land addressing like for like and the maintain and improve principles. This Environmental Offset Land also includes some 1.8 km of Lake Macquarie foreshore.

The EPBC approval requires a range of matters be addressed and approved by the Commonwealth prior to works commencing on the site.

- ***An environmental management plan stormwater management plan complying with condition 4 of the EPBC approval 2007/3411 must be prepared and submitted to DEWHA prior to commencement of works.***
- ***A management and monitoring plan complying with condition 5 of the EPBC approval 2007/3411 must be prepared and submitted to DEWHA prior to commencement of works.***
- ***A stormwater management plan complying with condition 6 of the EPBC approval 2007/3411 must be prepared and submitted to DEWHA prior to commencement of works.***

7 Landscape and Open Space

7.1 Landscape Vision

The proposed subdivision will house a new residential community near the shores of Lake Macquarie, surrounded by existing bushland. New and existing tree plantings on the proposed lots, roadside settings, parklands and perimeter buffer zones will create a distinctive 'Gwandalan' character and integrate the development with the surrounding dry sclerophyll bushland.

Key landscape features of the development will include the following:

- Retention of better quality trees in the proposed park to the south east of the site adjacent to the school grounds.
- A local park forming a green nucleus in the northern portion of the subdivision
- Native landscape buffers to Kanangra Drive, Gwandalan Public School and Point Wolstoncroft Sport and Recreation Centre, retaining existing trees and fencing where appropriate
- Primary circulation route highlighted as a 'Green Link' to provide a continuous canopy and habitat corridor.
- A safe and permeable public domain enhanced with indigenous trees.
- WSUD initiatives in managing run-off with (bio-retention swales to perimeter road).
- A bushfire management plan incorporating 'managed' zones and retained canopy species.

7.2 Landscape Principles

The landscape principles for the site will be as follows:

- Create a landscape setting that will enhance the development and integrate with the bushland setting.
- Retain as many trees as possible in the open spaces, buffer zones, streetscapes and proposed lots.
- Retain a project arborist to review and advise on the protection and safety of existing trees.
- Create a contiguous, safe and permeable public domain.
- Avoid 'formal' landscapes to maintain the relaxed 'bushland' character.
- Use indigenous species throughout the public domain areas to link the development with the adjacent woodland and open space surrounds.
- Public and private landscape areas will meet with Wyong Council's landscapes standards and controls.

7.3 Streetscape

PRIMARY STREET

The Primary Street will be lined with informal copses of indigenous trees. (refer street tree planting schedule) The street will incorporate a drainage bio-retention swale alongside the open space with

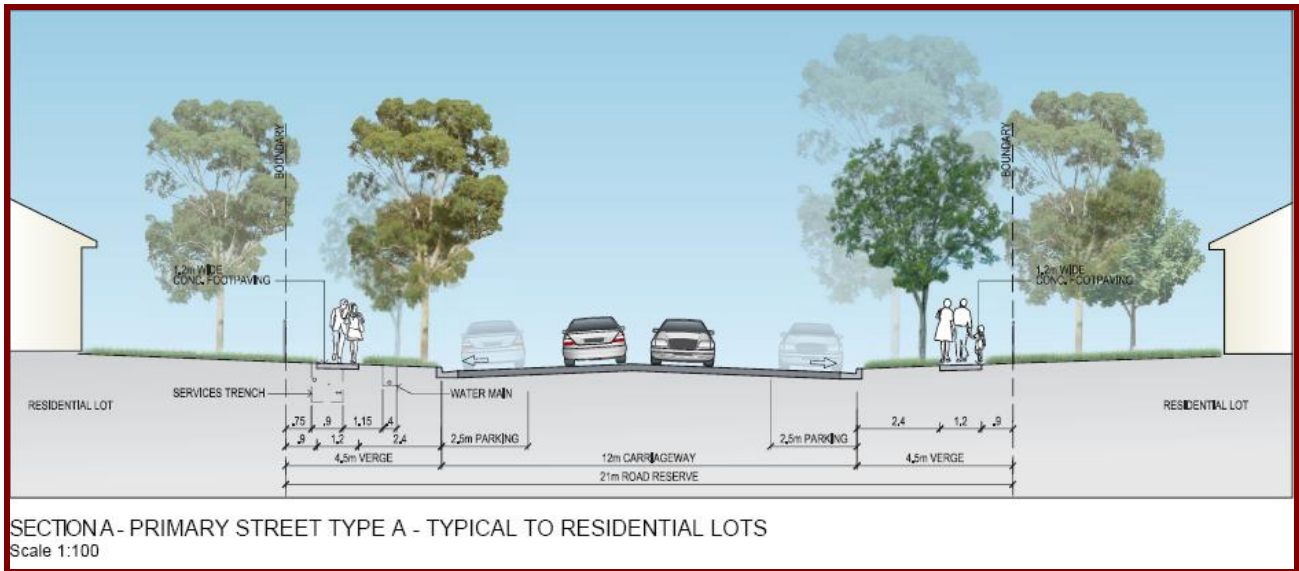


Figure 6 - Typical streetscape section

7.4 Open Spaces

SOUTH EAST PARK

This open space located near the slopes of the former orchard will be enhanced as an informal parkland for passive recreation. The park will incorporate existing stands of better quality indigenous trees in turf surrounds. Park seats and an interpretive play area created out of logs from the site could be installed to improve the amenity of the open space.

A bio-retention swale will be installed along the roadside park perimeter to filter runoff. Timber cross-overs will be provided at key locations to allow pedestrian access across the swales into the park

NORTHERN LOCAL PARK

This pocket park will incorporate a group of existing native trees, to create an informal landscape for passive recreation. This will be simple park embellished with new turf .

7.5 Landscape Management Plan

A Landscape Management Plan is to be prepared for the development, addressing the retention of existing trees, bushfire protection and ongoing maintenance of the natural and built open spaces.

8 Access, Parking and Circulation

The site circulation pattern is to provide for buses, private vehicles, bicycles and walking.

The aims of the circulation pattern are:

- Linkage to the existing bus route, particularly as associated with the school;
- Avoidance of additional traffic through existing residential areas;
- Adequate provision for private access and transport in the new development;
- Adequate infrastructure services provision;
- Emergency and service vehicle access;
- Provided for cycling on the local roads; ; and
- Provide walking opportunities through a pedestrian pathway network.

Road Construction and Design Standards

The following requirements apply:

- ***The street network is to be configured to complement the existing Gwandalan street network.***
- ***Internal roads are to be designed to Wyong Council subdivision standards for bus routes and access streets.***
- ***Public transport is to be addressed by provision of a bus route and provision for school buses adjoining the school.***
- ***Pedestrian and cycle movement is to be facilitated by the links to the existing Gwandalan network along Kanangra Drive.***
- ***Footpaths are to be provided to Council standards.***

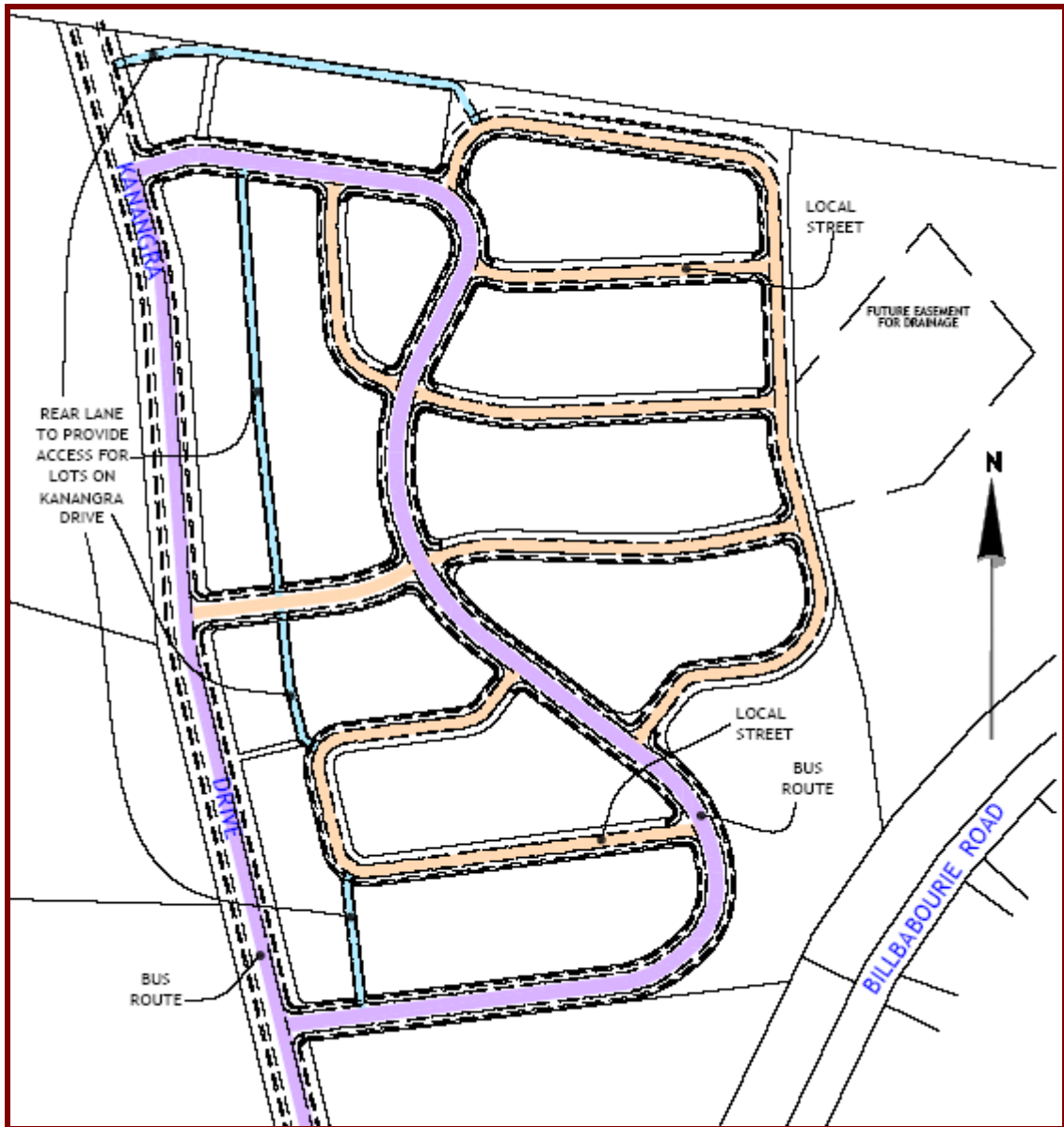


Figure 7 Access and circulation

9 Infrastructure

Development of the site has been anticipated in local infrastructure planning.

Provision is made for servicing of the site in accordance with existing development servicing plans.

Any application for development of the site is to demonstrate:

- ***Adequate consultation with service and infrastructure providers***
- ***Any proposed staging of the works relative to infrastructure provision thresholds***

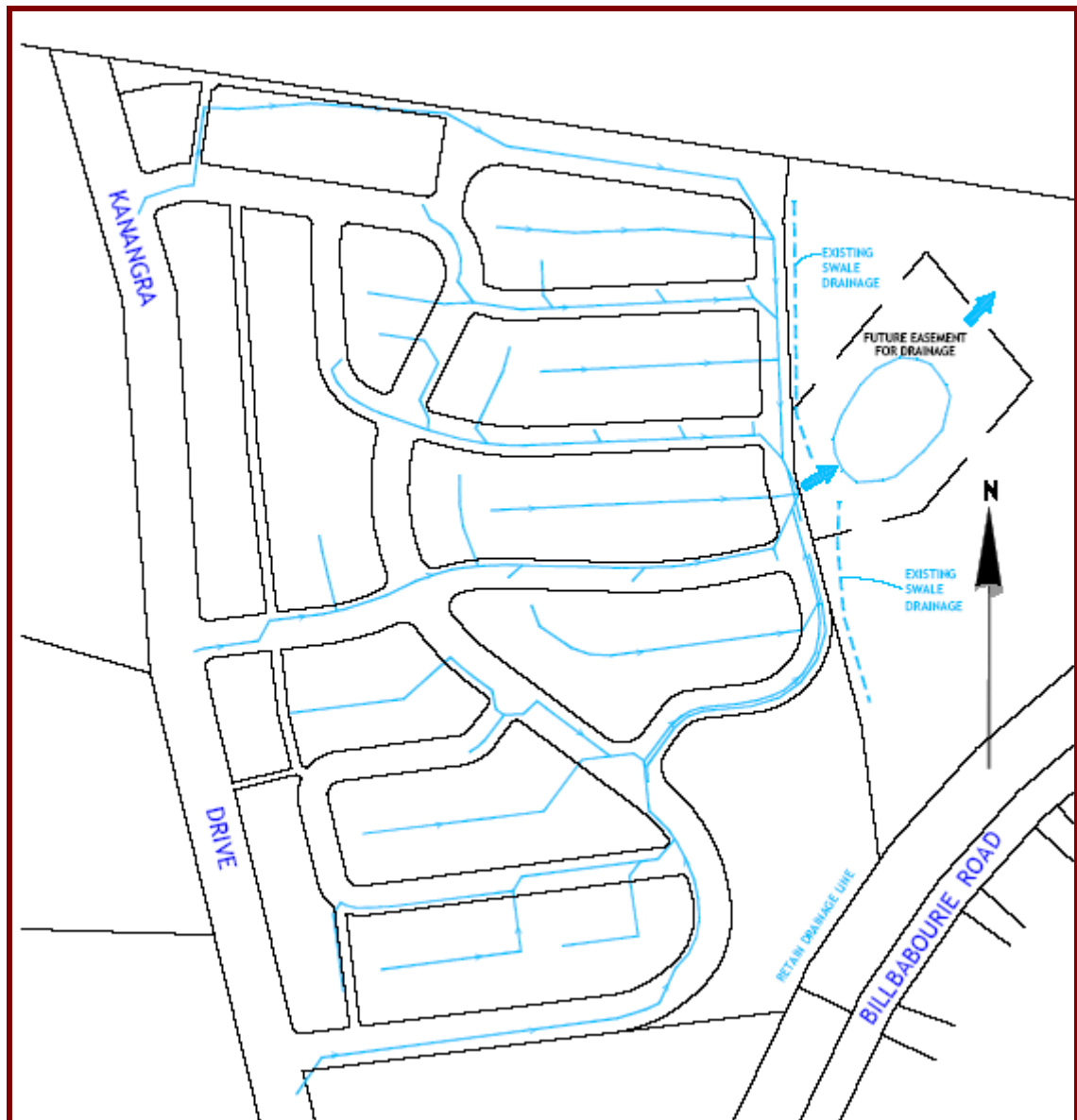


Figure 8 Stormwater drainage

10 Subdivision & Staging

The land has a subdivision potential of approximately 200 lots. Given this potential yield, release of lots is likely to be staged.

Any subdivision proposal will need to identify works and lot release staging.

Any application for subdivision of the site will need to address the following site issues:

- ***Stormwater and drainage management***
- ***Road hierarchy, location of footpaths and cycleways***
- ***Landscape/streetscape details and concept plan***

Subdivision works requirements:

- ***Subdivision works are to be subject to a Construction Environmental Management Plan for the site including:***
 - ***Erosion and sediment control***
 - ***Traffic management including particular attention to the adjoining school site***
 - ***An Acid Sulphate Soils management plan if required***

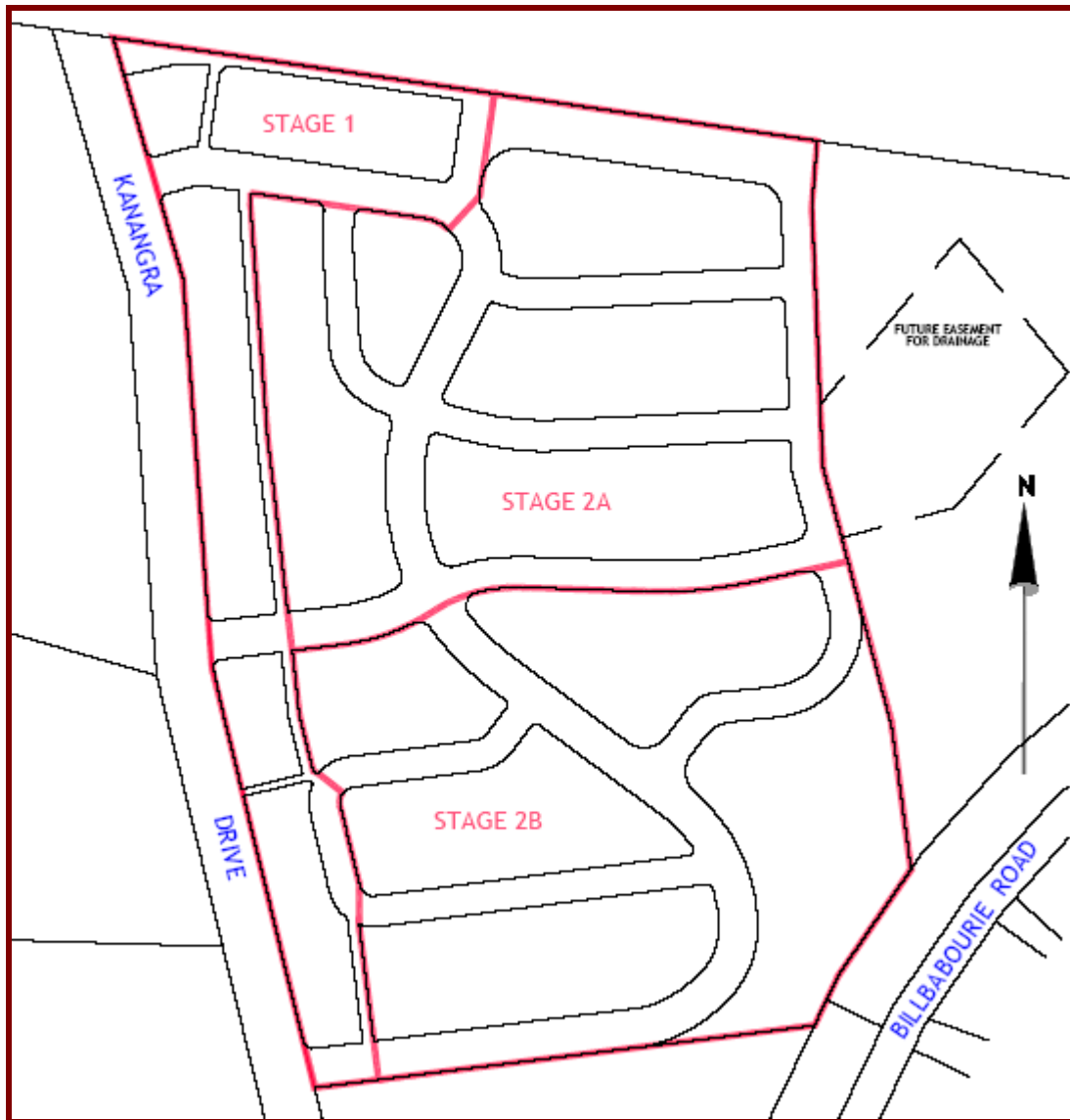


Figure 9 Subdivision staging

11 Community Facilities

The amount of contributions to be paid by the proponents will at least be equal to the amounts required by the Gwandalan Section 94 Contributions Plan as administered by Wyong Shire Council.

It is expected that a Voluntary Planning Agreement (VPA) will be negotiated with Council and NSW Department of Planning to provide for the increase in demand for community facilities created by the development.

12 Built Form Controls

Subsequent to subdivision dwelling houses will be constructed on the approved lots.

Housing proposals are to generally comply with Chapter 100 Quality Housing of Wyong DCP (see **Appendix 1** to this DCP) and specifically comply with the provisions of this DCP. Advice should be sought from Council on the interpretation of the controls for individual proposals.

12.1 SEPP (Exempt and Complying Development Code) 2008 (Code SEPP)

See **Appendix 2** to this DCP. Built form controls are provided by the Code SEPP. The SEPP establishes:

- minimum lot sizes for complying development
- maximum site coverage requirements
- maximum floor areas for dwelling houses
- maximum floor area for outbuildings
- maximum floor areas for balconies, pergolas patios etc
- maximum building heights
- setbacks
- articulation
- building elements
- privacy
- private open spaces
- carparking
- garages carports and car parking spaces
- access requirements

All dwelling proposals for individual sites are to comply with SEPP (Exempt Complying and Development Code) 2008 standards.

12.2 Bushfire

Australian AS3959 applies building standards to dwelling houses within 100 of a bushfire hazard. See Section 13 of this DCP.

12.3 Private Domain Landscaping

The residential lots will feature landscaping that will integrate with the surrounding bushland character and landscaped verges to create a unified development. Existing trees will be retained where possible on each lot, subject to safety and arboricultural advice.

12.3.1 Landscape Design

The landscape design is to satisfy the SEPP (Exempt and Complying Development Code) requirements and avoid 'formal' landscapes to maintain the relaxed 'bushland' character of the area.

Each residential lot shall be landscaped to create an attractive setting for the house and lot.

Colours and finishes are to complement the architectural style and be in keeping with the bushland character of the development

Lots affected by the APZ shall satisfy the guidelines outlined in the Bushfire Management Plan.

12.3.2 Planting

Landscaping shall include lawn areas, and trees and shrubs selected from the species list prepared for the site. The list includes native trees and small exotic and deciduous trees, suitable for planting on the northern side of the house to improve solar access in winter.

A minimum of two, medium to large, indigenous trees shall be planted in the front garden and in the back yard of each house lot to enhance the site amenity, and integrate with the native streetscape planting and bushland surrounds.

Shrub and understorey planting is to be a mix of indigenous and low water use species that will provide colour, textural interest and appropriate screening to the property.

12.4 Landscaping species

Gwandalan land and streetscaping species list		
Street Trees		
<i>Angophora costata</i>	Sydney red gum	10-15m
<i>Banksia integrifolia</i>	Coast banksia	5-8m
<i>Cupaniopsis anacoides</i>	Tuckeroo	8-10m
<i>Eucalyptus botryoides</i>	Bangalay / Southern Mahogany	10-15m
<i>Eucalyptus capitellata</i>	Brown stringybark	8-12m
<i>Eucalyptus racemosa</i>	Scribbly gum	10-15m
<i>Eucalyptus piperita</i>	Sydney peppermint	10-15m
<i>Eucalyptus racemosa</i>	Scribbly gum	10-15m
<i>Eucalyptus umbra</i>	Broad leaved white mahogany	10-15m
Private Domain Trees		
<i>Angophora costata</i>	Sydney red gum	10-15m
<i>Banksia integrifolia</i>	Coast banksia	5-8m
<i>Banksia serrata</i>	Old man banksia	5-8m
<i>Corymbia maculata</i>	Spotted gum	10-15m
<i>Eucalyptus botryoides</i>	Bangalay / Southern Mahogany	10-15m
<i>Eucalyptus racemosa</i>	Scribbly gum	10-15m
<i>Hymenosporum flavum</i>	Native frangipani	5-8m
<i>Hibiscus tiliensis</i>	Rosemallow	8-10m
<i>Lagerstroemia indica</i>	Crepe myrtle	8-10m
<i>Plumeria spp.</i>	Frangipani	5m
<i>Tibouchina spp.</i>	Glory tree	5m
Swale Planting		
<i>Carex appressa</i>	Tall Sedge	0.8m
<i>Isolepis nodosa</i>	Knobby Club Rush	1.0m
<i>Juncus kraussii</i>	Sea Rush	0.5m
<i>Lomandra longifolia</i>	Spiny Headed Mat Rush	1.0m
<i>Phragmites australis</i>	Common Reed	0.3m

13 Bushfire Hazard

Bushfire construction levels will apply to areas on the perimeter of the subject to bushfire hazard.

Any lots on the north boundary of the site adjoining the State Conservation Area will be significantly affected by bushfire and APZ requirements and will need to be managed consistent with protection of the ecological values of the adjoining land.

Proposed Management

- **All lots within 100 metres of bushfire hazard are likely to require construction in accordance with AS 3959**

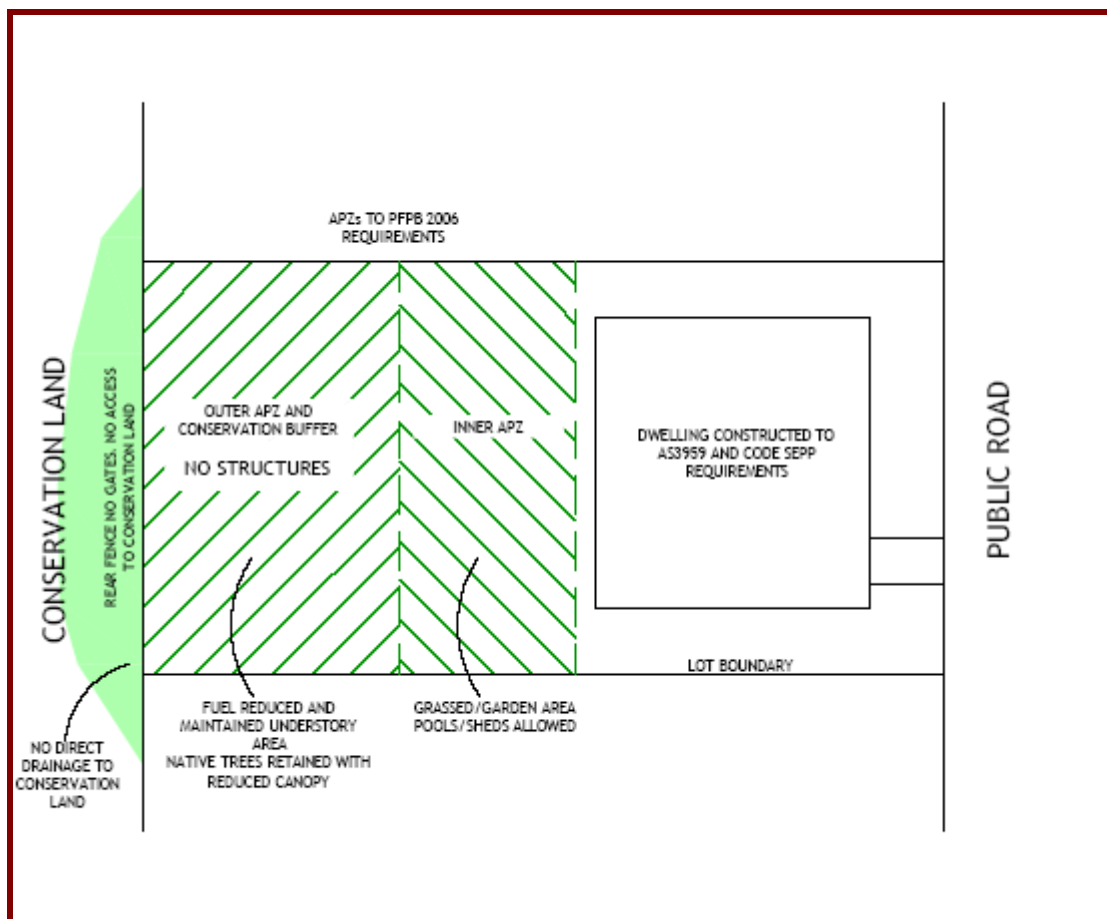


Figure 10 APZ management requirements for lots adjoining Lake Macquarie State Conservation Area

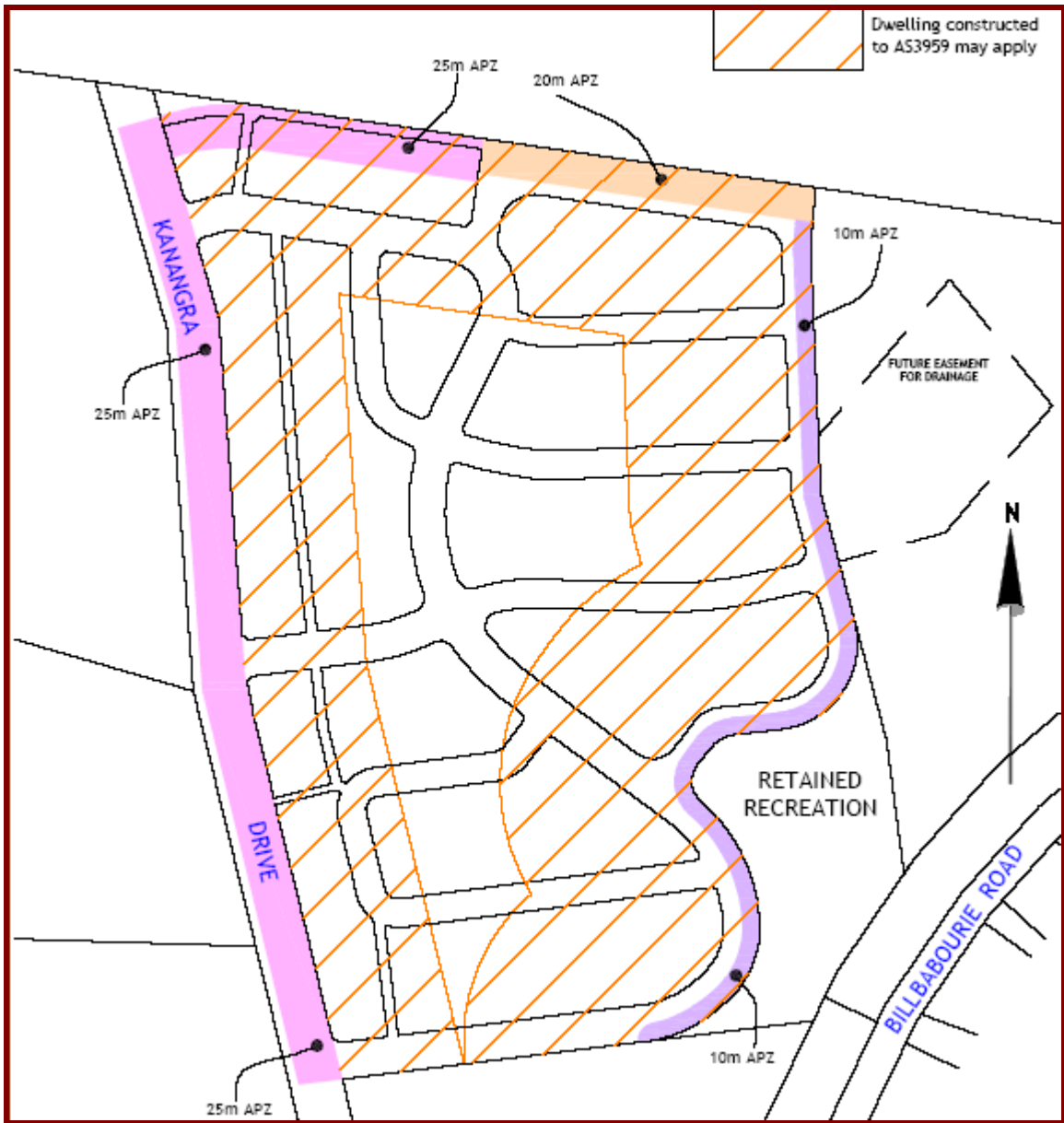


Figure 11 APZ and bushfire construction requirements generally

Appendix 1

Chapter 100 Quality Housing Wyong DCP

Appendix 2

Housing Code - extract of SEPP (Exempt and Complying Development Codes) 2008