

TERMS OF INSTRUMENT NOT  
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SCHEME DESCRIPTION  
Development No. 932/C029/06

**COMMUNITY TITLES ACT 1996**  
**COMMUNITY CORPORATION NO. 25691 INC**

**SCHEME DESCRIPTION**

**POINT BOSTON**

Certified correctly prepared in accordance with the requirements of the Community Titles Act  
1996 by the person who prepared the document.

  
.....  
Full Name: Richard Neville McNeil  
Address: Level 5, 63 Pirie Street Adelaide SA 5000



COMMUNITY TITLES ACT, 1996

SCHEME DESCRIPTION

1. **DESCRIPTION OF LAND TO BE DEVELOPED UNDER THE SCHEME**

Those portions of the land comprised in Certificates of Title Volume 5999 Folios 94 and 95 Volume 6018 Folio 56 being the land located in the area known as Point Boston, South Australia ("**Scheme Land**").

2. **NATURE OF PROPOSED DEVELOPMENT**

2.1 The community plan for the scheme comprises a primary plan of community division. It is intended that the community division will be undertaken in stages. The first stage will effect the division of the land described in paragraph 1 into 207 primary lots, five (5) development lots delineated 3002, 3003, 3004, 3005 and 3006 and common property. (See copy of plan attached marked Annexure "A").

2.2 The second stage will effect the division of development lot 3004 into 212 primary lots and common property in the manner specified in the Development Contract which division the Developer shall be entitled if it elects to do so to undertake in stages.

2.3 As at the date hereof the Developer has not determined:

2.3.1 when the development lots will be divided into community lots;

2.3.2 other than in respect of development lot 3004 how many community lots or further development lots will be created from each development lot: or

2.3.3 the location of the lots or common property to be created from the development lots.

2.4 In dividing the development lots the Developer shall be entitled (but not obliged) to undertake in respect of any of the Primary Lots created by the division of any of the development lots, a further division of such Primary Lots into such number of secondary lots and common property as the Developer may determine in its absolute discretion.

2.5 Nothing in this Scheme Description shall prevent the undertaking of a further division of any primary lot provided that the lot is, pursuant to clause 3, entitled to have two (2) or more attached dwellings constructed on the lot.

3. **PURPOSE FOR WHICH THE LOTS AND COMMON PROPERTY MAY BE USED**

3.1 Lots 1 to 207 inclusive are to be used for the following purpose:

3.1.1 Residential purposes

3.1.2 Tourist accommodation including the management and letting out of dwellings constructed on those Lots as a pooled tourist accommodation scheme.

No other use is permitted.

3.2 A single dwelling is to be constructed on each of the following Lots in stage one:

Lots 1 – 35 inclusive

Lots 39 – 103 inclusive

Lots 105 – 114 inclusive

Lots 116, 119, 120, 122, 123

Lots 125 – 132 inclusive

Lots 134 – 137 inclusive

Lots 140 – 143 inclusive

Lots 145 – 147 inclusive

Lot 149

Lots 151 – 154 inclusive

Lots 156, 157, 165, 166, 168, 170, 171

Lots 174 – 178 inclusive

Lots 180, 181, 184, 186, 187, 189, 190, 191

Lots 198, 199

Lots 203 – 207 inclusive.

3.3 Two attached dwellings may be permitted on the following Lots in stage one:

Lots 36-38 inclusive

Lots 104, 115, 117, 118, 121, 124, 133, 138, 139, 144, 148, 150, 155,

Lots 158 – 164 inclusive

Lots 167, 169, 172, 173, 179, 182, 183, 185, 188

Lots 192 – 197 inclusive

Lots 200 – 202 inclusive

provided that the owners of those lots shall not be obliged to construct the maximum number of attached dwellings permitted on those Lots.

3.4 Lots 208 to 420 inclusive to be created from the division of development lot 3004 are to be used for the following purposes:

3.4.1 Residential purposes; and

3.4.2 Tourist accommodation including the management and letting out of dwellings constructed on those Lots as a pooled tourist accommodation scheme.

3.5 A single dwelling is to be constructed on each of the following Lots in stage two:

Lots 216 – 225 inclusive

Lots 230 – 235 inclusive

Lots 240 – 250 inclusive

Lots 252 – 264 inclusive

Lots 266 – 276 inclusive

Lots 278 – 284 inclusive

Lots 288 – 291 inclusive

Lots 293 – 295 inclusive

Lots 298 – 303 inclusive

Lots 305 – 309 inclusive

Lots 311 – 317 inclusive

Lots 319 – 325 inclusive

Lots 327 – 333 inclusive

Lots 336 – 340 inclusive

Lots 342 – 351 inclusive

Lots 353 – 372 inclusive

Lots 376 – 391 inclusive

Lots 394 – 402 inclusive

Lots 404 – 408 inclusive

Lots 412 – 420 inclusive.

3.6 Two attached dwellings may be permitted on the following Lots in stage two:

Lots 209 – 215 inclusive

Lot 251.

Lot 265

Lot 277

Lots 285 – 287 inclusive

Lots 296 – 297 inclusive

Lot 304

Lot 310

Lot 318

Lot 334

Lot 341

Lot 352

Lot 373

Lot 375

Lot 392

Lot 403

Lots 409 – 411 inclusive

provided that the owners of those lots shall not be obliged to construct the maximum number of attached dwellings permitted on those Lots.

- 3.7 Three attached dwellings may be permitted on the following Lots in stage two:

Lot 226

Lots 228 – 229 inclusive

Lots 236 – 239 inclusive

Lot 326

Lot 393

provided that the owners of those lots shall not be obliged to construct the maximum number of attached dwellings permitted on those Lots.

- 3.8 Four attached dwellings may be permitted on the following Lots in stage two:

Lot 208

Lot 227

Lot 335

provided that the owners of those lots shall not be obliged to construct the maximum number of attached dwellings permitted on those Lots.

- 3.9 Five attached dwellings may be permitted on Lot 292 in stage two provided that the owner of that Lot shall not be obliged to construct the maximum number of attached dwellings permitted on that Lot.

- 3.10 Fifty five attached dwellings may be permitted on Lot 374 in stage two provided that the owner of that Lot shall not be obliged to construct the maximum number of attached dwellings permitted on that Lot.

- 3.11 The lots to be created from the remaining development lots (other than development lot 3003 depicted on the plan attached and marked "A") are to be used solely for:-
- 3.11.1 Residential purposes
  - 3.11.2 Tourist accommodation including the management and letting out of dwellings constructed on the Lots as a pooled tourist accommodation scheme.
- No other use is permitted.
- The Developer shall in respect of those Lots nominate at its discretion on which Lots a single dwelling is to be constructed and on which Lots the owner is permitted at its discretion to construct attached dwellings and if so how many attached dwelling.
- 3.12 Development Lot 3003 is to be used at the discretion of the Developer either as a community facility for the use by the owners of the lots in the Scheme through the Community Corporation which will occupy that lot as a Lessee of the Developer or as a tourist accommodation facility.
- 3.13 The Common Property in the primary plan of community division shall be used as roadways for access to the Community Lots and for the provision and accommodation of service infrastructure including without limitation an effluent treatment plant and water supply system.
- 3.14 The Common Property is to be used by the proprietors and occupiers of the community lots and persons authorised by them from time to time in accordance with the By-laws of the Community Scheme.
- 3.15 The general public is to have unrestricted access to the coast via:
- 3.15.1 the private road from the junction with Sullivan Drive at the southwest corner of Development Lot 3002 to the end of the dead end road adjacent to Lot 36 in Stage 1, the car park and the walkway at all times; and
  - 3.15.2 the private road running from Sullivan Drive to Development Lot 3004, along the perimeter private road around Development Lot 3004, to those carparks to be provided by the Developer in the vicinity of and to service those walkways situated between Lots 212 and 213, 222 and 223, 248 and 249, 263 and 264, 279 and 280 and 289 and 290.
- 3.16 The general public is to have access to such other carparks and walkways as may be developed by the Developer from time to time as part of the Scheme via such private roads as may be constructed by the Developer as part of the Scheme.
- 3.17 Subject to the provisions of the By-Laws the District Council of Lower Eyre Peninsula shall have the right to enter upon those portions of the Common Property comprising roads for the purpose of refuse collection subject to agreement being reached between the District Council of Lower Eyre Peninsula and the Community Corporation in relation to the terms of such refuse collection and for the purpose of undertaking such other services as may be agreed between the Community Corporation and the District Council of Lower Eyre Peninsula.

**4. STANDARD OF BUILDINGS AND OTHER IMPROVEMENTS**

- 4.1 Each building erected on a community lot including all lots created from the division of the development lots referred to in clause 3.4 must be designed, sited and constructed in accordance with the Design Guidelines attached as Annexure "B" as varied from time to time by the Developer and notified to the Community Corporation and to the District Council of Lower Eyre Peninsula.
- 4.2 Owners of Lots including all lots created from the division of the development lots referred to in clause 3.4:
- 4.2.1 must obtain the approval referred to in the Design Guidelines from the Architect appointed from time to time by the Developer and must for that purpose comply with the approval procedures set out in the Design Guidelines including the payment of a fee to the Architect appointed by the Developer to process the owner's application for approval.
- 4.2.2 must not make application for Provisional Development Plan Consent to the District Council of Lower Eyre Peninsula prior to obtaining the approvals from the Architect appointed by the Developer.
- 4.3 The standard of work to be performed and the materials to be used will be of a high standard and otherwise shall be in accordance with the Design Guidelines.
- 4.4 The development of the Community Lots and the Common Property is to take place in accordance with all statutory and other approvals obtained under the Development Act 1993 for the undertaking of the development and in a proper and workmanlike manner.
- 4.5 Any additional buildings or improvements or alterations or additions to existing buildings or improvements or replacement of existing buildings or improvements whether on Lots or common property shall be located designed and constructed in a manner and to a standard consistent with the buildings and improvements undertaken by the developer and/or other lot owners and in accordance with the Design Guidelines.

**5. OBLIGATION TO DEVELOP COMMUNITY LOTS**

- 5.1 The owner for the time being of each community lot to be used for residential purposes is to be under an obligation to develop his or her lot by the construction thereon of a dwelling in the manner specified in clause 4.
- 5.2 The Developer will have no obligation to develop any community lot other than by the creation of the community lots.

**6. DEVELOPER'S OBLIGATIONS TO IMPROVE OR DEVELOP THE COMMON PROPERTY**

- 6.1 The Developer will:
- 6.1.1 construct all roadways on the Common Property; and
- 6.1.2 undertake and install service infrastructure in accordance with the Development Approval obtained in respect of the development including:
- (a) the construction of the effluent disposal system;



- (b) the construction of the water supply system; and
- (c) the installation of a fire hydrant system.

6.2 The standard of work to be performed and the materials to be used on the Common Property will be a fair average standard or such higher standard as the Developer in its absolute discretion may determine and to the statutory requirements, if any, of the District Council of Lower Eyre Peninsula.

## 7. COMMUNITY CORPORATION OBLIGATIONS

- 7.1 The Community Corporation shall be obliged to operate and maintain the effluent disposal system and all associated infrastructure including the pipe network in accordance with all conditions imposed by the Environment Protection Authority and the Department of Health in respect of the licence to be granted by the Environment Protection Authority and the Department of Health for the operation and installation of the effluent disposal system.
- 7.2 The Community Corporation shall be obliged to operate and maintain the fire hydrant system to the satisfaction of the Country Fire Service Development Assessment Unit.
- 7.3 The Community Corporation shall be obliged to operate and maintain the water supply system throughout the Scheme Land and along Sullivan Drive to the main pipeline along Lincoln Highway.
- 7.4 The Community Corporation shall be obliged to maintain those portions of the Common Property comprising the road network at all times.
- 7.5
  - 7.5.1 The Community Corporation must maintain and implement a Bushfire Management Plan at all times to the satisfaction of the Country Fire Service Development Assessment Unit.
  - 7.5.2 The Corporation shall be responsible to maintain all bushfire buffers situated upon the Scheme Land including any bushfire buffers which are situated on any Lots in accordance with the requirements of the Bushfire Management Plan and in accordance with the requirements of the Country Fire Service or the District Council of Lower Eyre Peninsula from time to time.
- 7.6 The Community Corporation shall be responsible to maintain all walking trails throughout the coastal reserve adjacent to the Scheme Land notwithstanding that such coastal reserves do not form part of the Scheme Land.
- 7.7 The Community Corporation must ensure that its Land Management Action Plan or such other plans as the Community Corporation adopts pursuant to the By-Laws includes provisions in respect of bushfire hazard management to the satisfaction of the Country Fire Service Development Assessment Unit.
- 7.8 The Community Corporation shall be obliged on behalf of each lot owner and at the cost of each lot owner to maintain the Biolytix Waste Treatment Systems to be installed by each lot owner on each Lot.

**8. STAGING OF DEVELOPMENT**

- 8.1 The Scheme comprises a staged development. It is estimated that the date of completion of the first stage of the development comprising the creation of two hundred and seven (207) community lots and the five (5) development lots will be completed by 30 June 2009. This date is an estimate only and subject to variation.
- 8.2 The development lots will be divided into additional community lots in subsequent stages of the development in accordance with plans to be approved by the District Council of Lower Eyre Peninsula but subject always to variations made by the Developer in accordance with clauses 8.4 and 8.5.
- 8.3 Commencement and completion of the subsequent stages comprising the division of the development lots into further primary community lots and common property and the possible further division of primary lots into secondary lots and community property will depend upon the timing of the sale by the Developer of the lots in previous stages, the proposed development to be undertaken on the relevant development lots and the requirements of the relevant Development Plan applicable to the scheme land.
- 8.4 The Developer will be entitled in accordance with Section 8(4) of the Community Titles Act to divide any development lot in stages to the intent that a stage of the development may itself be undertaken in such number of stages as the Developer determines.
- 8.5 The Developer shall be entitled in its discretion to:
- 8.5.1 vary the number of stages to be undertaken to the intent that one or more stages may be amalgamated; and
- 8.5.2 vary the number of community lots and or development lots comprising any stage of the development.

**9. ESTIMATED DATE FOR THE COMPLETION OF THE SCHEME**

The estimated date for completion cannot be determined at this stage. Completion of the scheme will depend upon the purchase of the community lots comprising the scheme.

**10. CONDITIONS OF APPROVAL**

- 10.1 The division of the community parcel is subject to conditions imposed upon any approval issued for the division by the District Council of Lower Eyre Peninsula.
- 10.2 The conditions that continue to apply after completion of the development will be the responsibility of the Community Corporation and owners of the community lots.
- 10.3 A copy of the Decision Notification Form including conditions of Provisional Development Plan Consent Land Division Consent and Development Assessment Commission conditions is attached to this Scheme Description and are marked Annexure "C".

DATED this 13<sup>th</sup> day of JULY 2009.

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**ENDORSEMENT BY THE RELEVANT AUTHORITY PURSUANT TO REGULATION 45A OF  
THE DEVELOPMENT REGULATIONS 1993**

- 1 All the consents or approvals required under *The Development Act 1993* in relation to the division of land (and a change in the use of land (if any) in accordance with this Scheme Description and the relevant plan of community division under *The Community Titles Act 1996* have been granted.
- 2 This endorsement does not limit the relevant authority's right to refuse, or to place conditions on, development authorisation under *The Development Act 1993* in relation to any other development envisaged by this Scheme Description.

Signed:

  
District Council of Lower Eyre Peninsula

Dated:

13 JULY 2009

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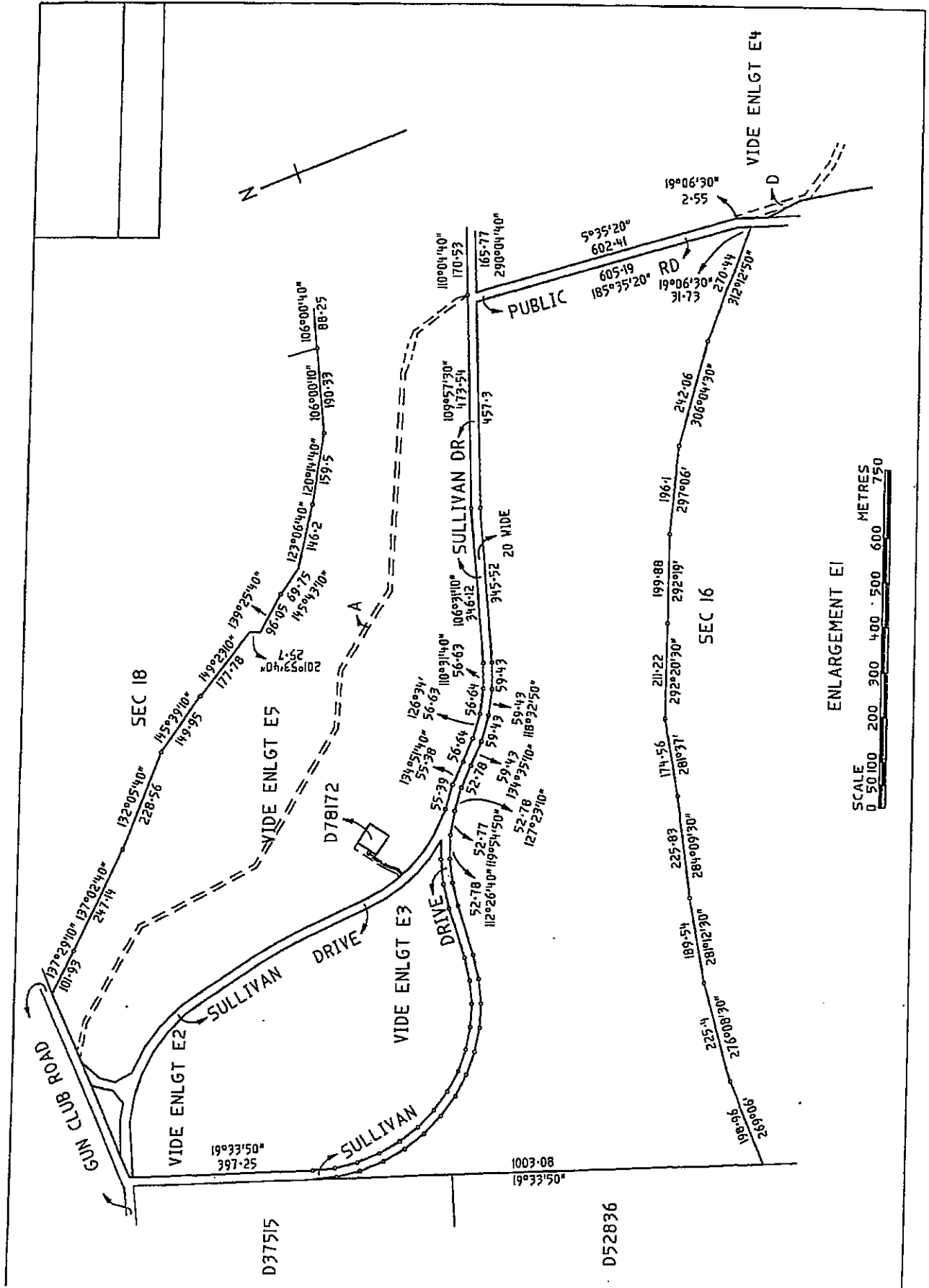
ANNEXURE A

TERMS OF INSTRUMENT NOT CHECKED BY LANDS TITLES OFFICE

|                               |                                                                                                                                                            |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------|-----------------------------|---------------------------------------|------------------------------------------------------------|-----------------|---------------|--------------------------------|-------------|-------------------------|
| <b>PROPOSE:</b>               | PRIMARY COMMUNITY                                                                                                                                          | <b>AREA NAME:</b>      | NORTH SHIELDS                            | <b>APPROVED:</b>            |                                       |                                                            |                 |               |                                |             |                         |
| <b>AP REF:</b>                | 60261                                                                                                                                                      | <b>COUNCIL:</b>        | DISTRICT COUNCIL OF LOWER EYRE PENINSULA | <b>DEPOSITED/FILED:</b>     |                                       |                                                            |                 |               |                                |             |                         |
| <b>1ST PLAN:</b>              | D7552                                                                                                                                                      | <b>DEVELOPMENT NO:</b> | 932/C029/06/001                          |                             | SHEET 1 OF 44<br>16473_lex\01_v01     |                                                            |                 |               |                                |             |                         |
| <b>AGENT DETAILS:</b>         | <b>PADANSIE &amp; ASSOCIATES PTY LTD</b><br>3 ANGAS STREET<br>PORT LINCOLN SA 5606<br>PH: (08) 86826532<br>FAX: (08) 86821466<br>PADBP<br>REFERENCE: 02326 |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
| <b>AGENT CODE:</b>            | PADBP                                                                                                                                                      |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
| <b>REFERENCE:</b>             | 02326                                                                                                                                                      |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
| <b>SUBJECT TITLE DETAILS:</b> |                                                                                                                                                            |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
| <b>REFIX</b>                  | <b>VOLUME</b>                                                                                                                                              | <b>FOLIO</b>           | <b>OTHER</b>                             | <b>PARCEL</b>               | <b>ALLOTMENT COMPRISING PIECES</b>    | <b>NUMBER</b>                                              | <b>PLAN</b>     | <b>NUMBER</b> | <b>HUNDRED / IA / DIVISION</b> | <b>TOWN</b> | <b>REFERENCE NUMBER</b> |
| 5999                          |                                                                                                                                                            | 94                     |                                          | ALLOTMENT COMPRISING PIECES |                                       | (104°.105°)                                                | D               | 75052         | LOUTH                          |             | SECTION 110             |
|                               | 5999                                                                                                                                                       |                        | 95                                       | ALLOTMENT COMPRISING PIECES |                                       | (106°.107°.108°)                                           | D               | 75052         | LOUTH                          |             | SECTION 109             |
|                               |                                                                                                                                                            | 6018                   | 56                                       | ALLOTMENT COMPRISING PIECES |                                       | (200°.201°.202°.203°)                                      | D               | 78172         | LOUTH                          |             | SECTION 111             |
| <b>OTHER TITLES AFFECTED:</b> |                                                                                                                                                            |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
| <b>EASEMENT DETAILS:</b>      |                                                                                                                                                            |                        |                                          |                             |                                       |                                                            |                 |               |                                |             |                         |
| <b>STATUS</b>                 | <b>LAND BURDENED</b>                                                                                                                                       | <b>FORM</b>            | <b>CATEGORY</b>                          | <b>IDENTIFIER</b>           | <b>PURPOSE</b>                        | <b>IN FAVOUR OF</b>                                        | <b>CREATION</b> |               |                                |             |                         |
| LISTING                       | 203                                                                                                                                                        | SHORT                  | EASEMENT(S)                              | A                           |                                       | DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) | RTD 9360702     |               |                                |             |                         |
| LISTING                       | 106                                                                                                                                                        | SHORT                  | EASEMENT(S)                              | D                           | FOR SEWERAGE PURPOSES                 | 4 ON D78172                                                | TG 8385954      |               |                                |             |                         |
| LISTING                       |                                                                                                                                                            | SHORT                  | EASEMENT(S)                              | HJ                          | FOR DRAINAGE PURPOSES                 | 4 ON D78172                                                |                 |               |                                |             |                         |
| LISTING                       |                                                                                                                                                            | SHORT                  | EASEMENT(S)                              | HJ                          | FOR DRAINAGE PURPOSES                 | 4 ON D78172                                                |                 |               |                                |             |                         |
| LISTING                       |                                                                                                                                                            | SHORT                  | FREE AND UNRESTRICTED RIGHT(S) OF WAY    | H                           | FREE AND UNRESTRICTED RIGHT(S) OF WAY | 4 ON D78172                                                |                 |               |                                |             |                         |
| W                             | 152                                                                                                                                                        | SHORT                  | FREE AND UNRESTRICTED RIGHT(S) OF WAY    | G                           | FREE AND UNRESTRICTED RIGHT(S) OF WAY | 95                                                         |                 |               |                                |             |                         |











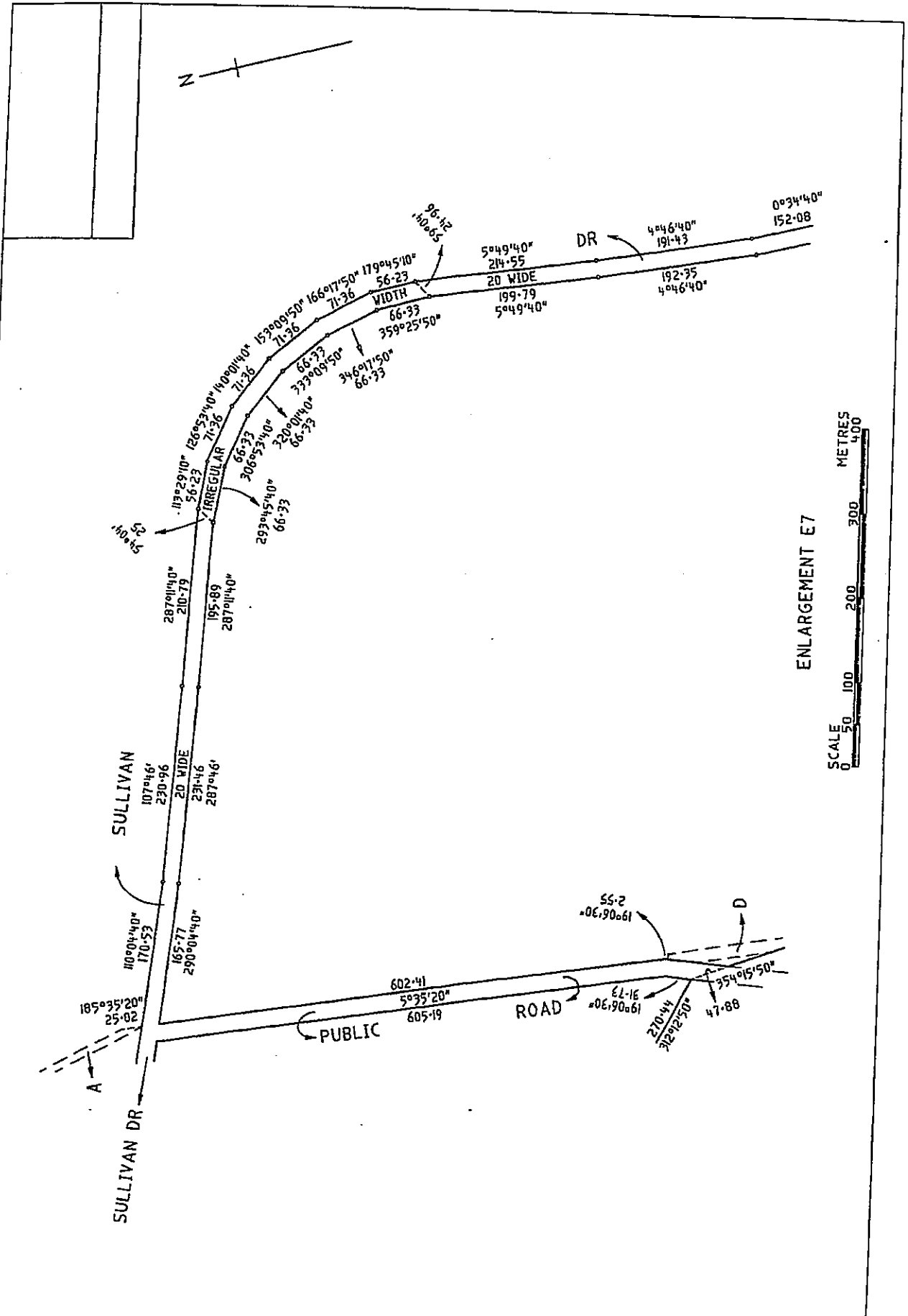






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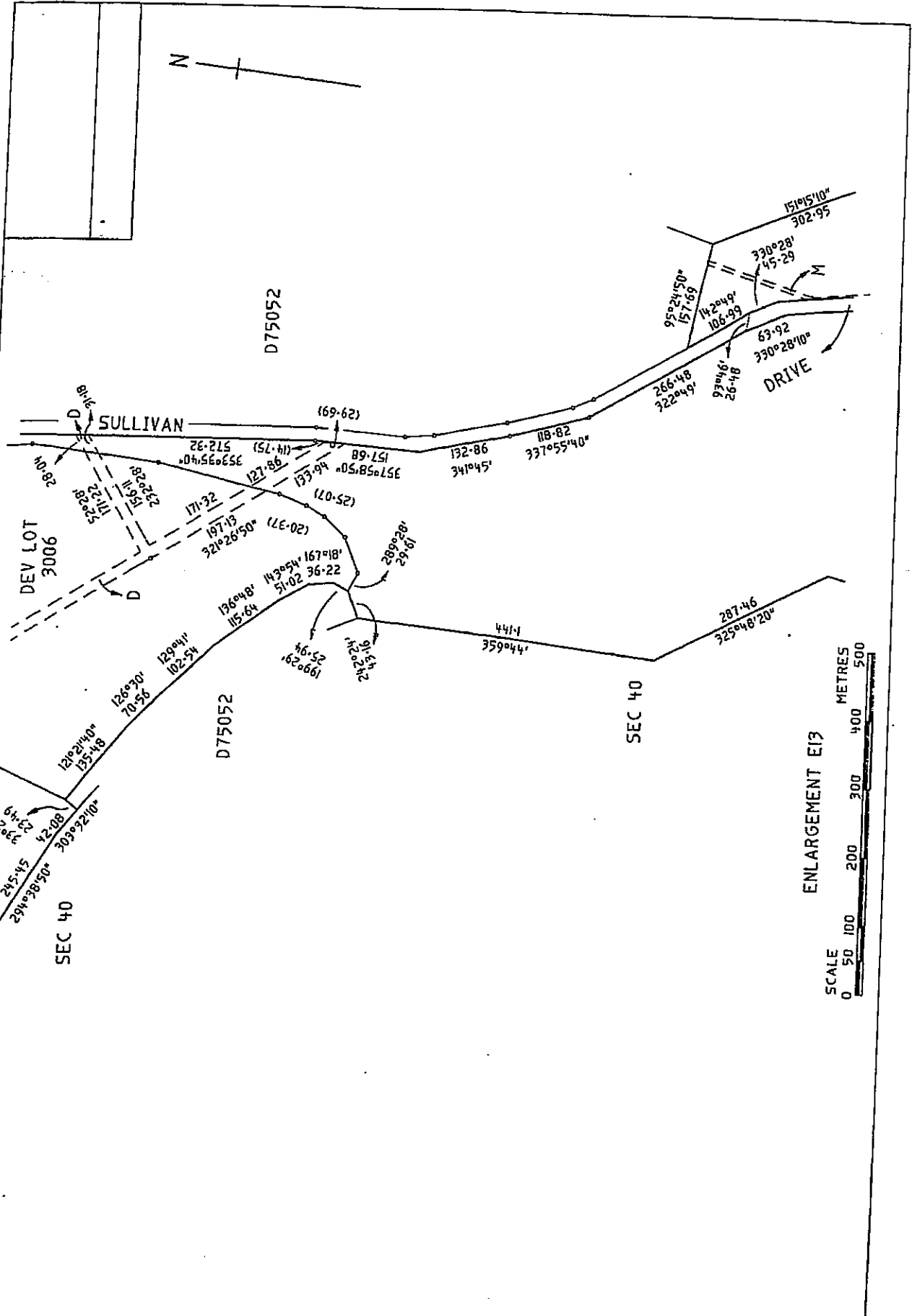






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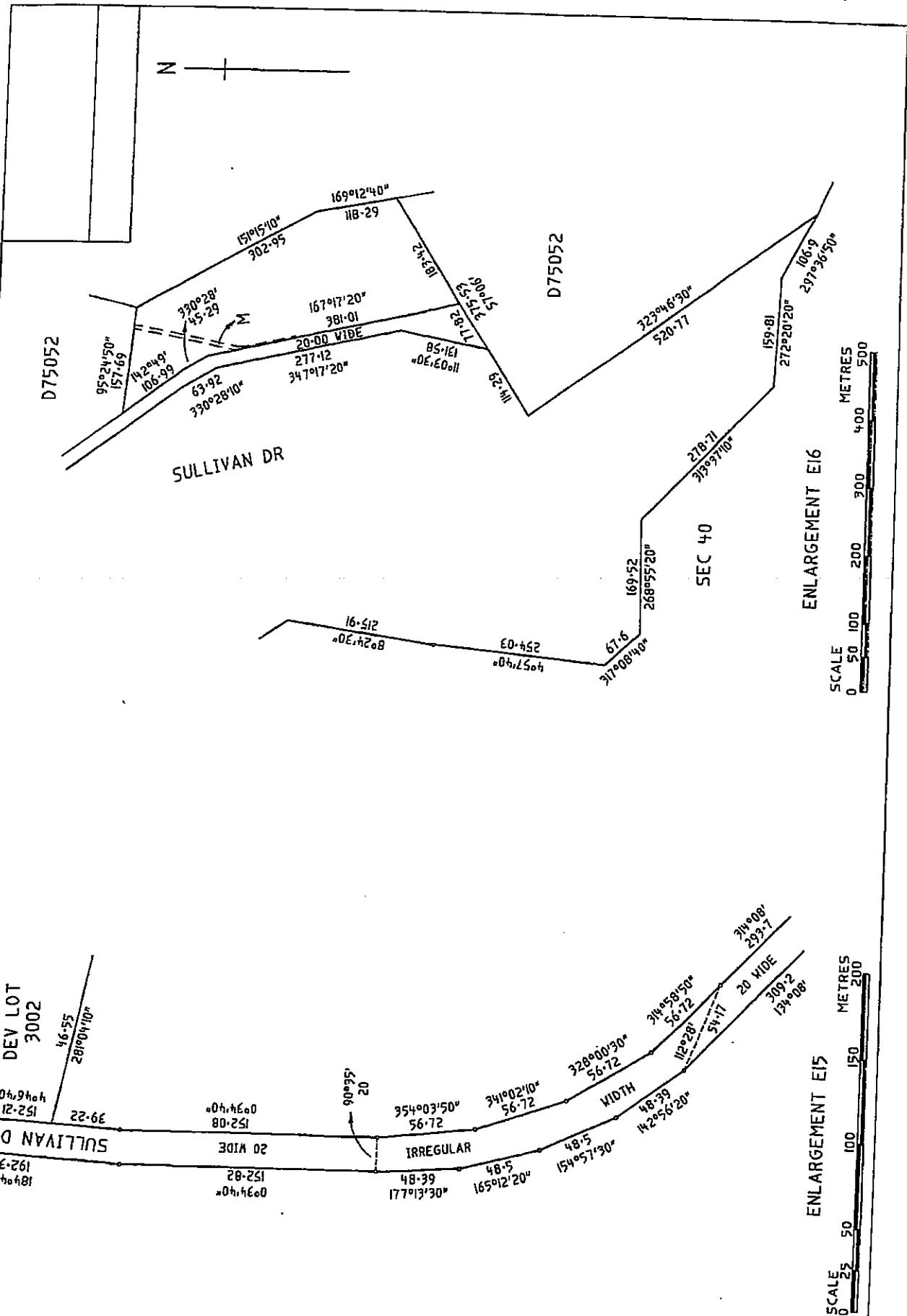
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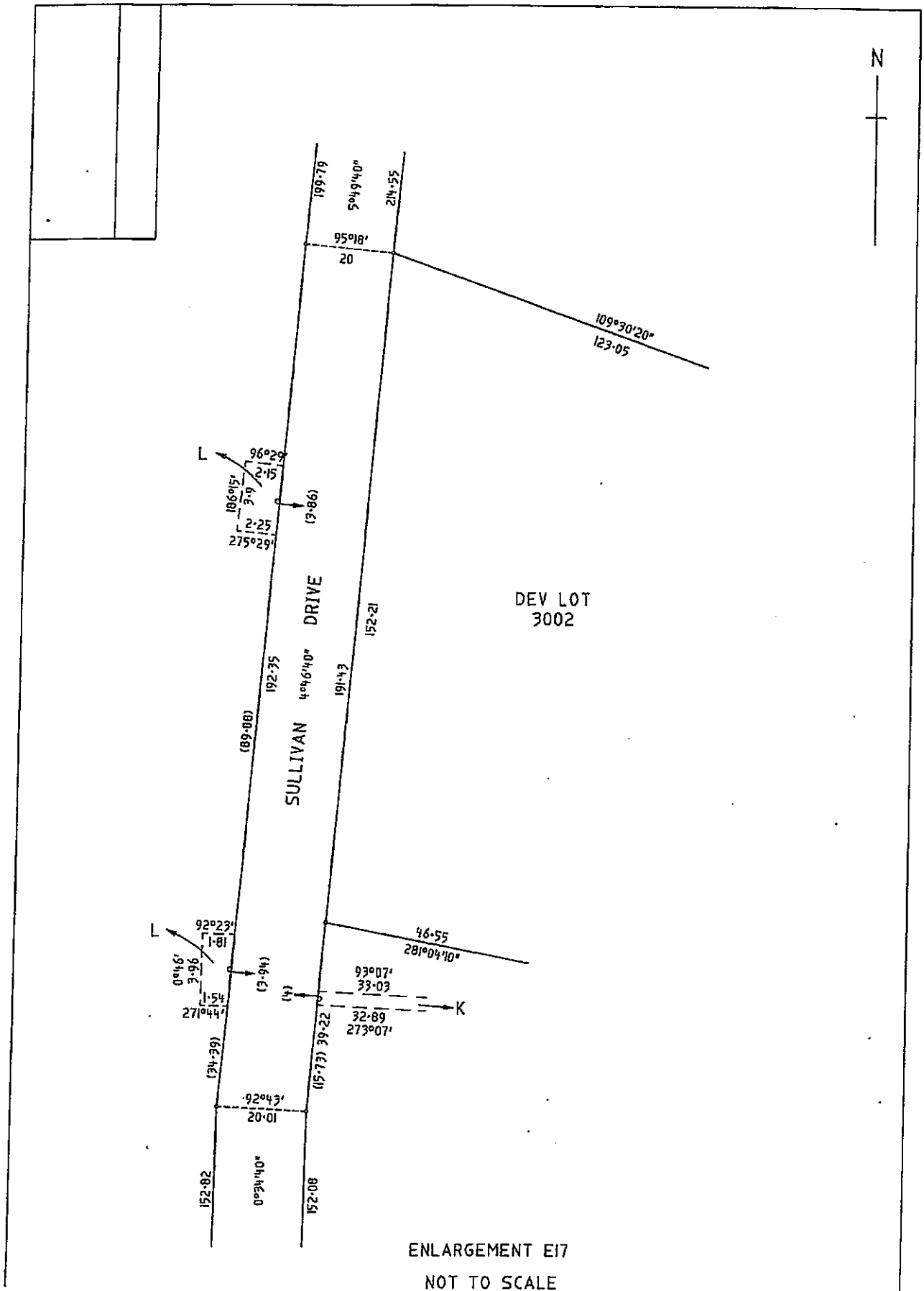




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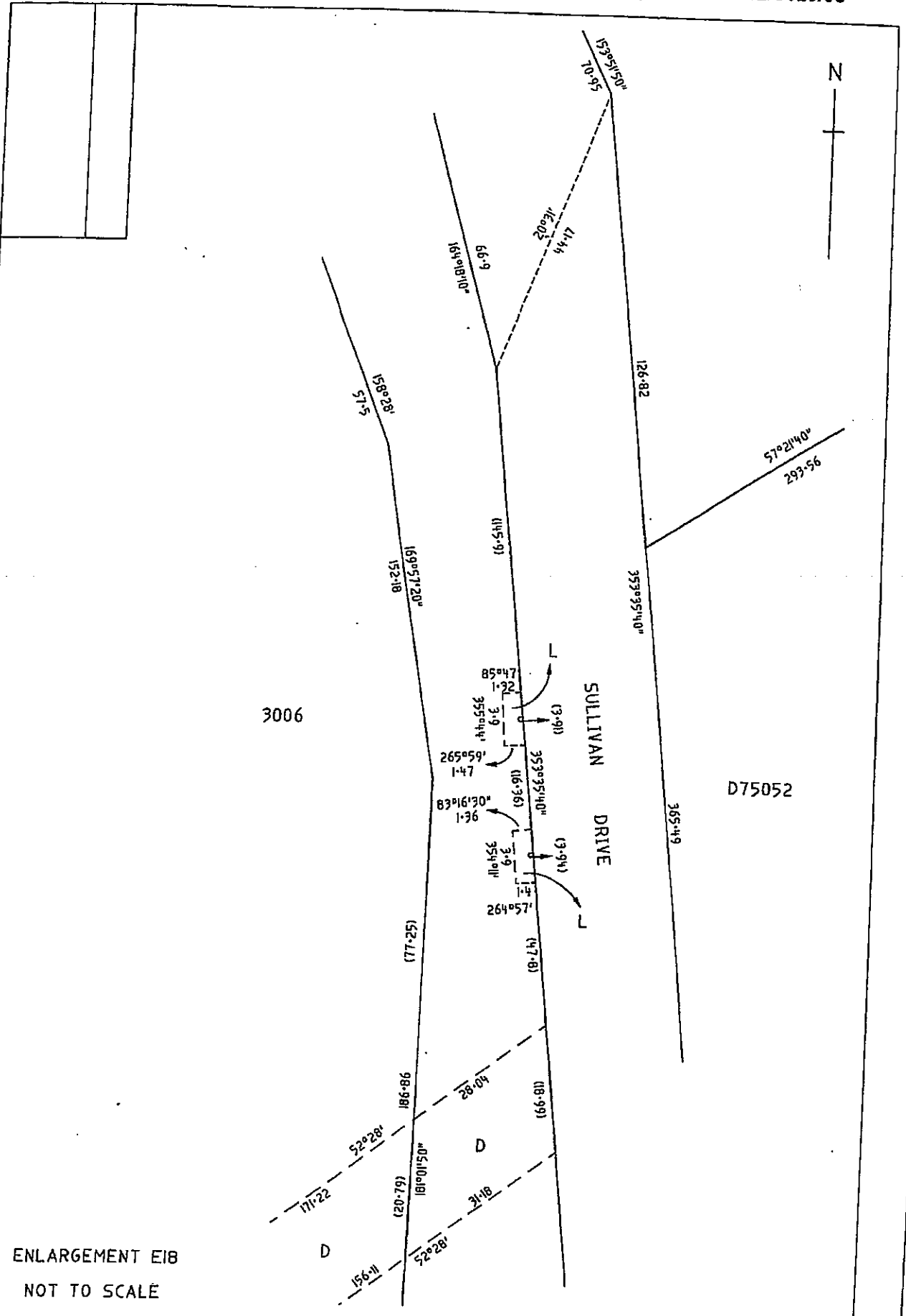
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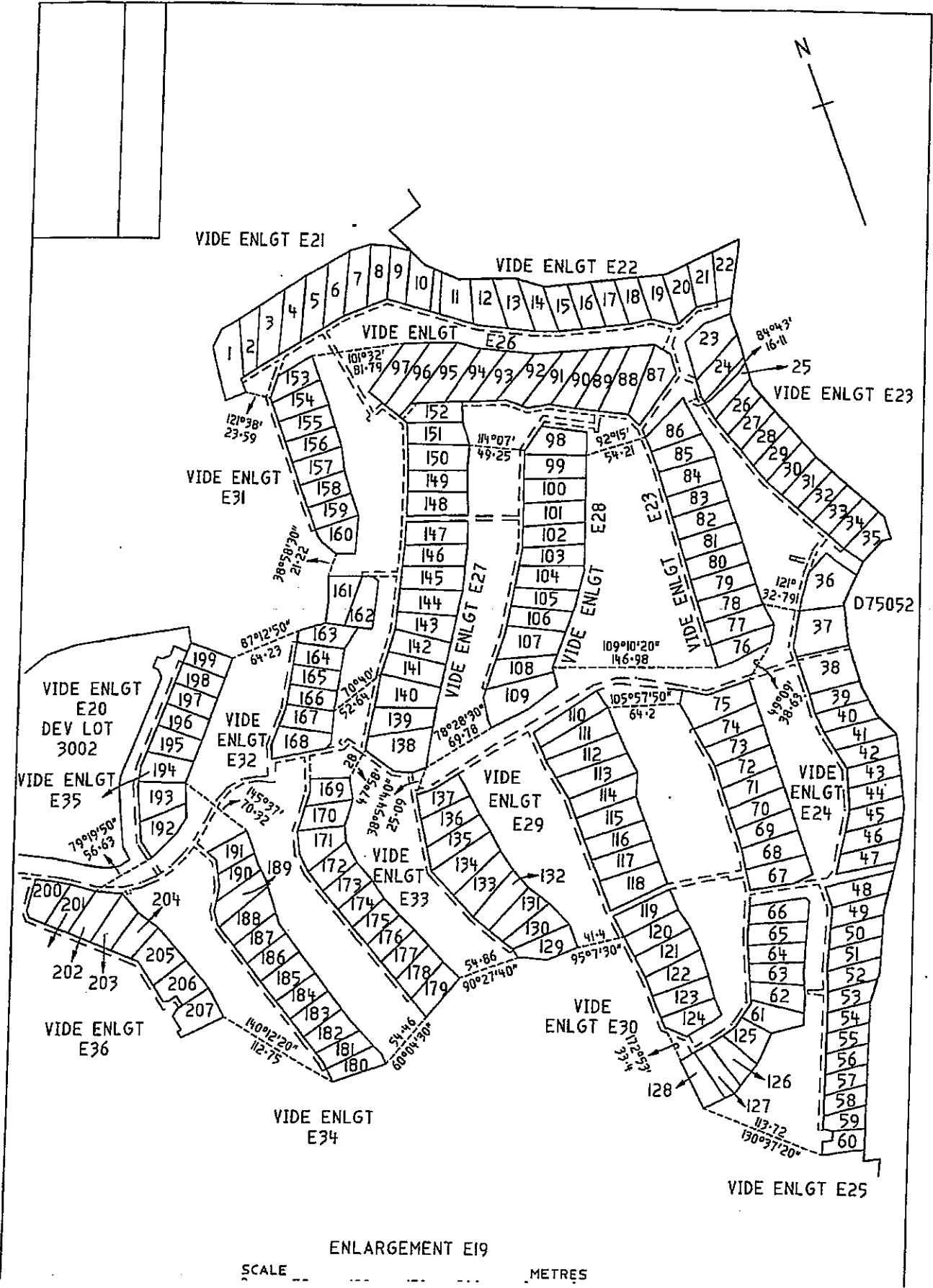


ENLARGEMENT E17  
NOT TO SCALE

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ENLARGEMENT E1B  
NOT TO SCALE

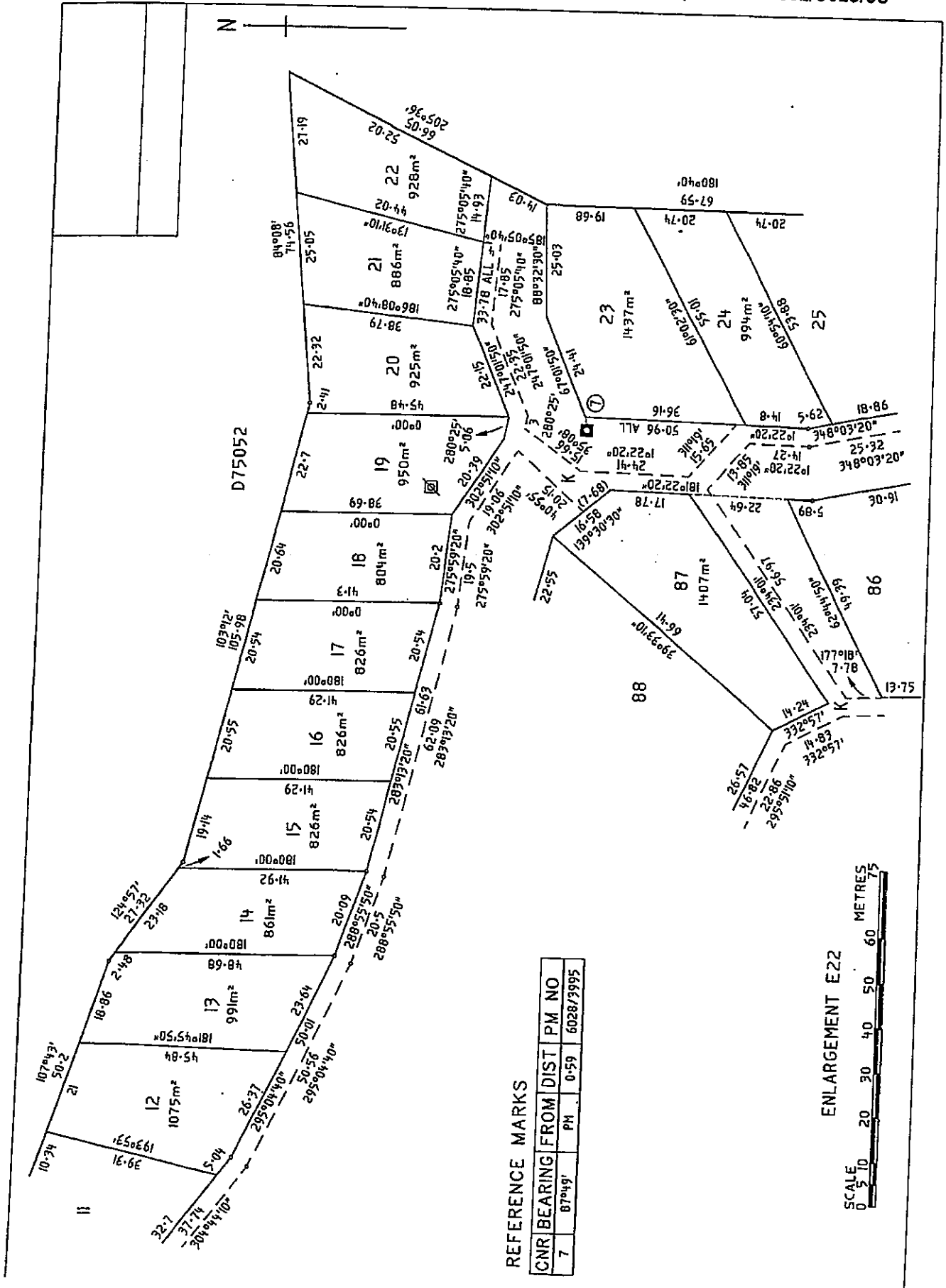








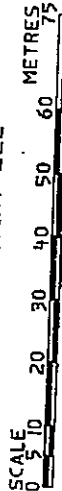
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REFERENCE MARKS

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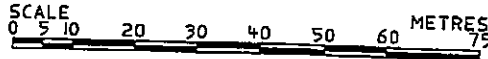




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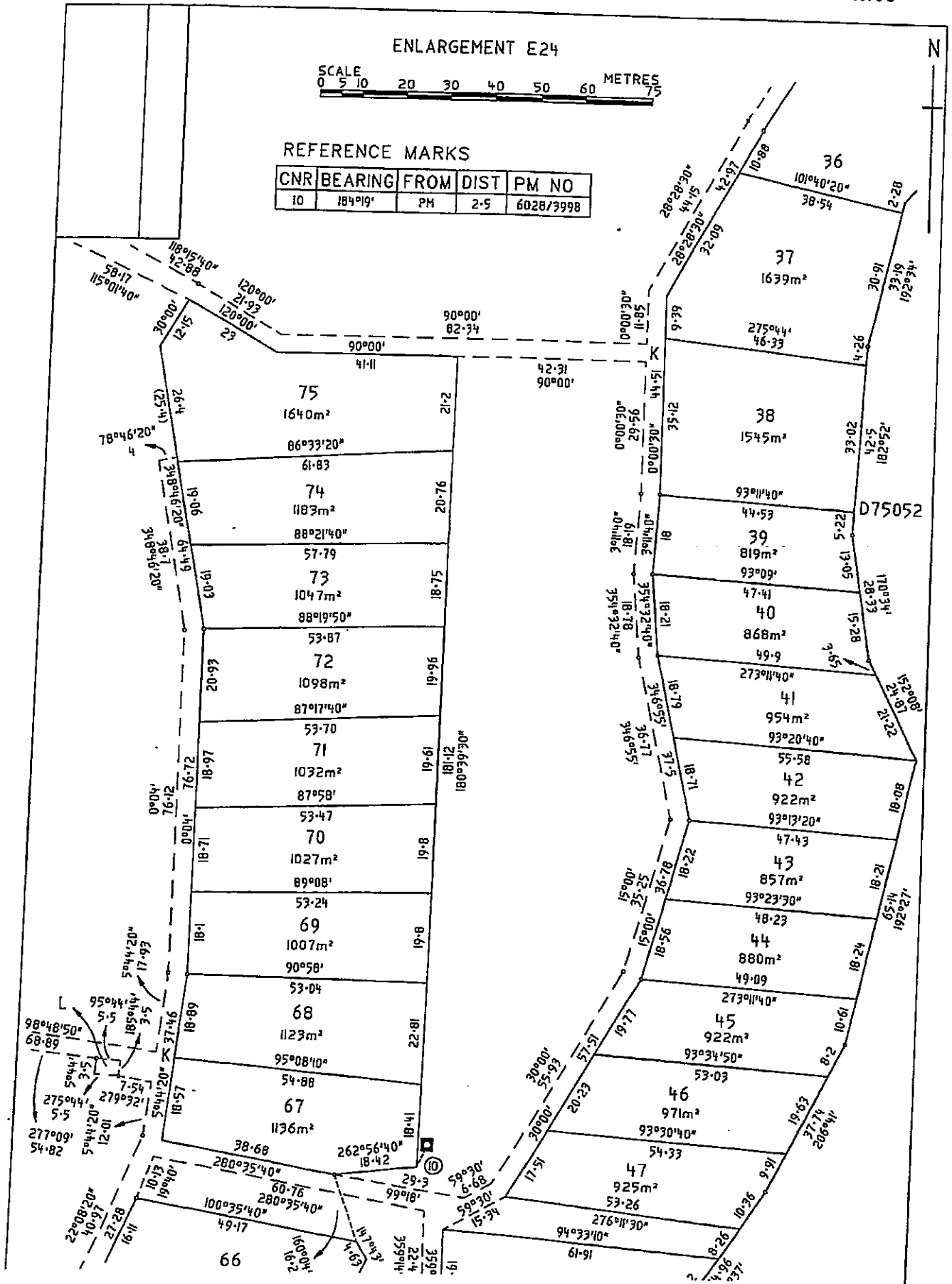
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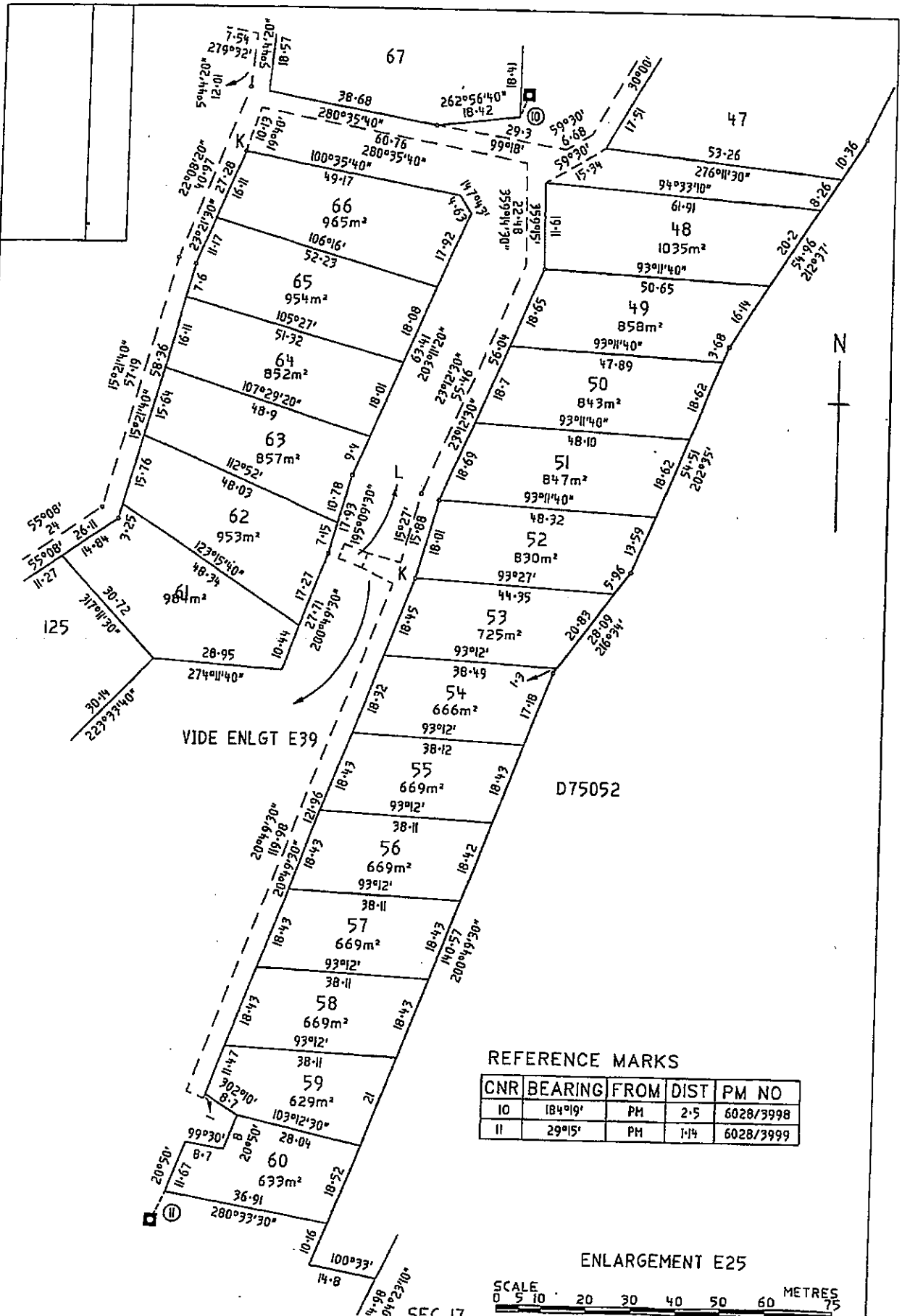


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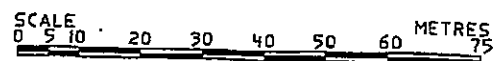




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ENLARGEMENT E25

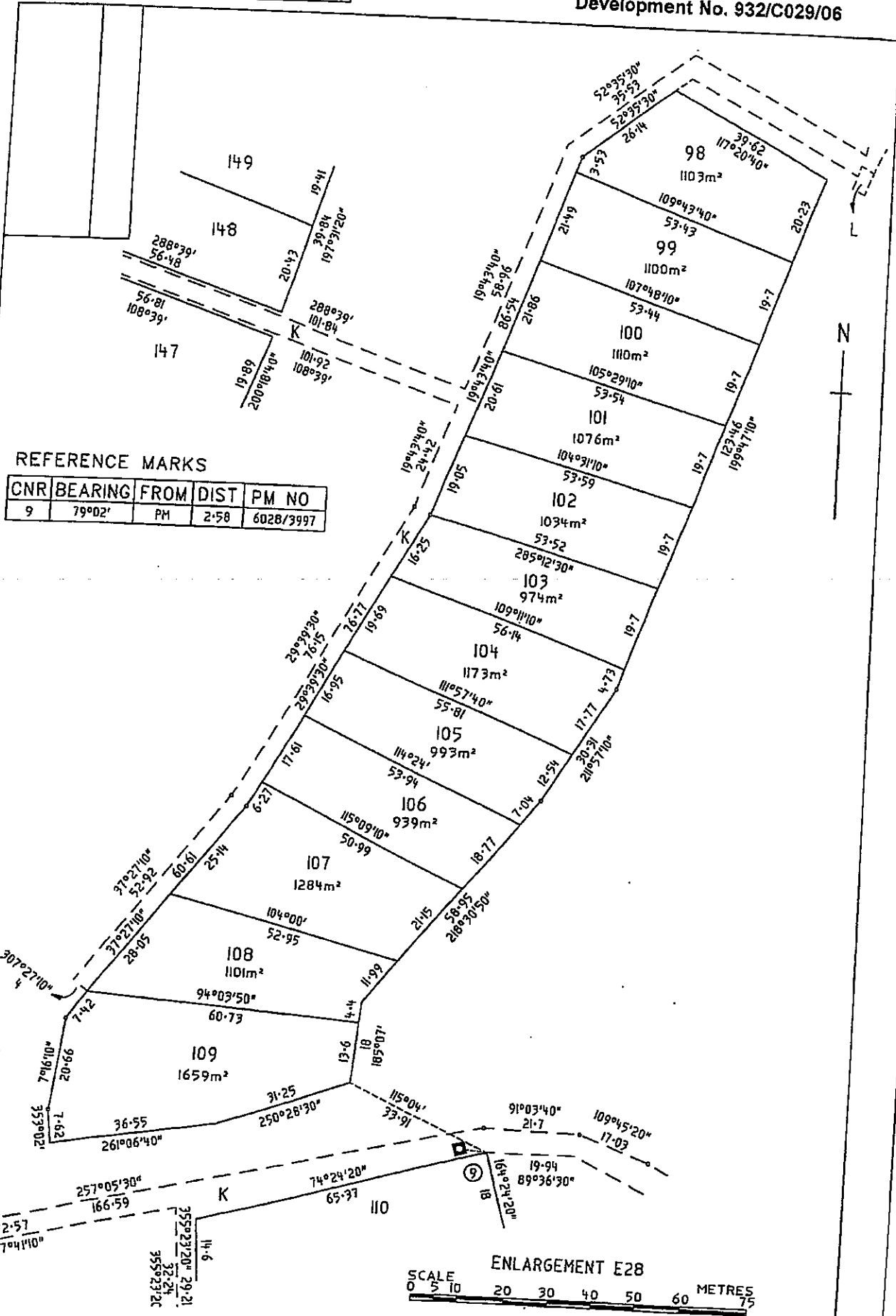






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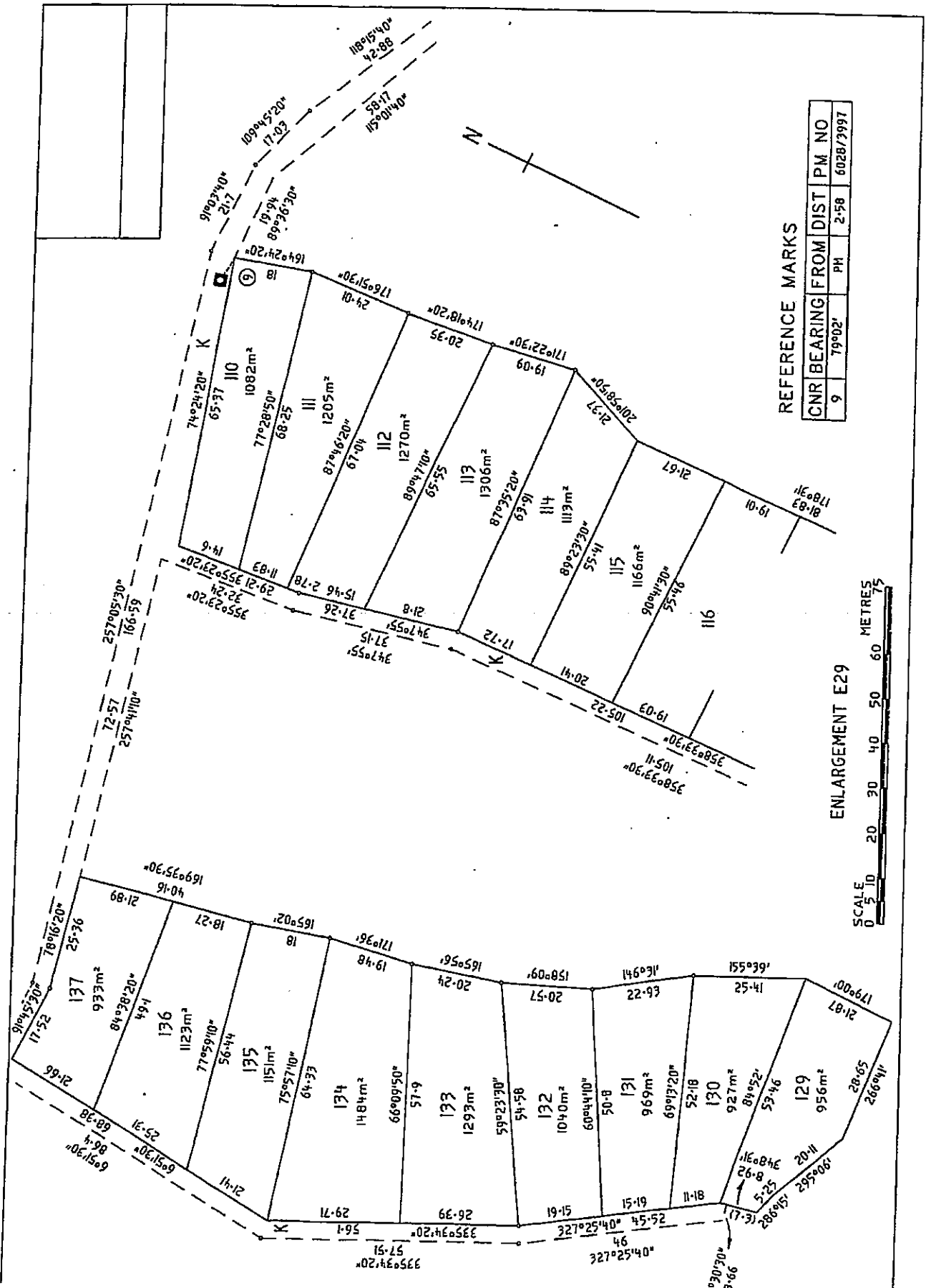
SCHEME DESCRIPTION  
Development No. 932/C029/06



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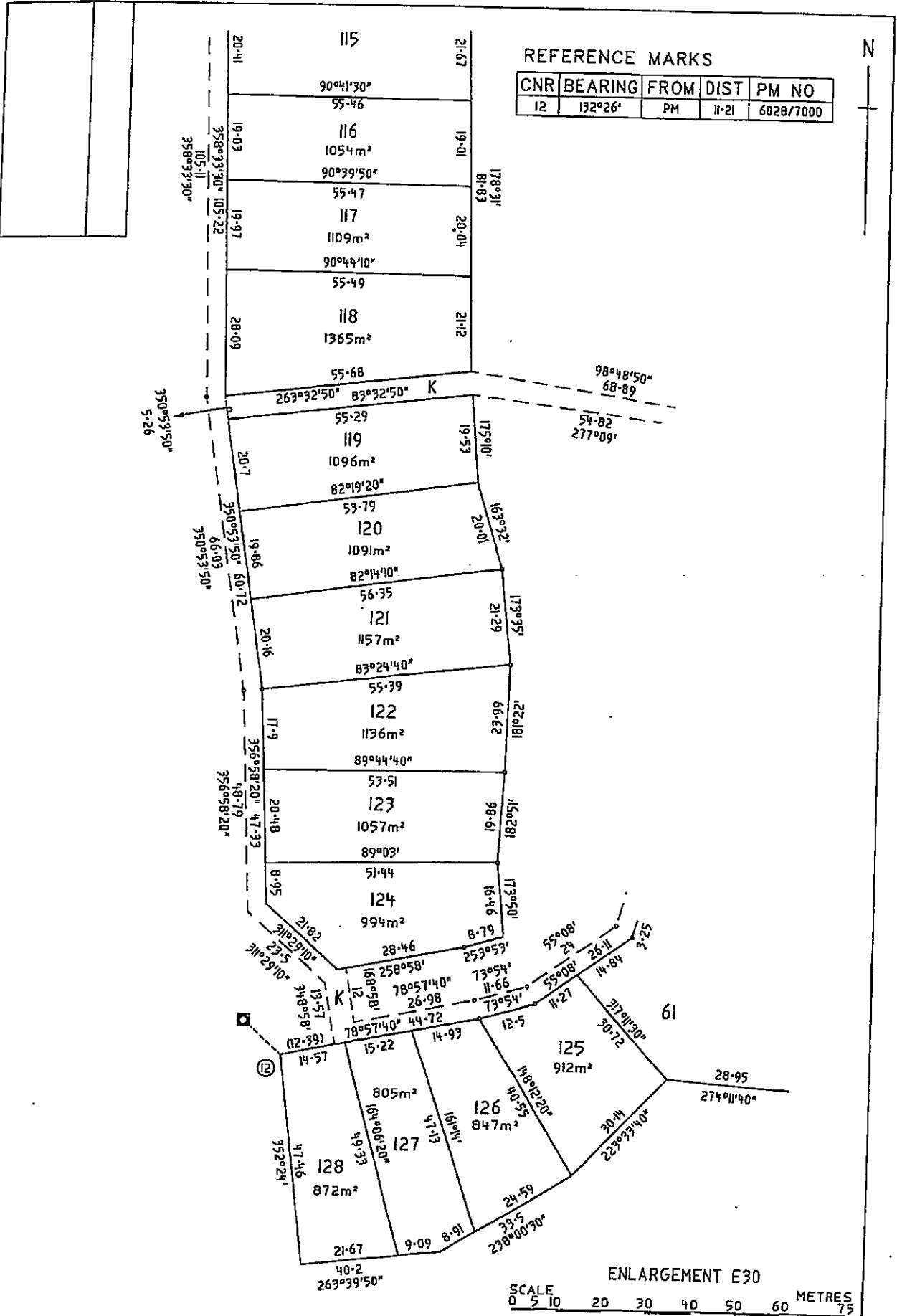
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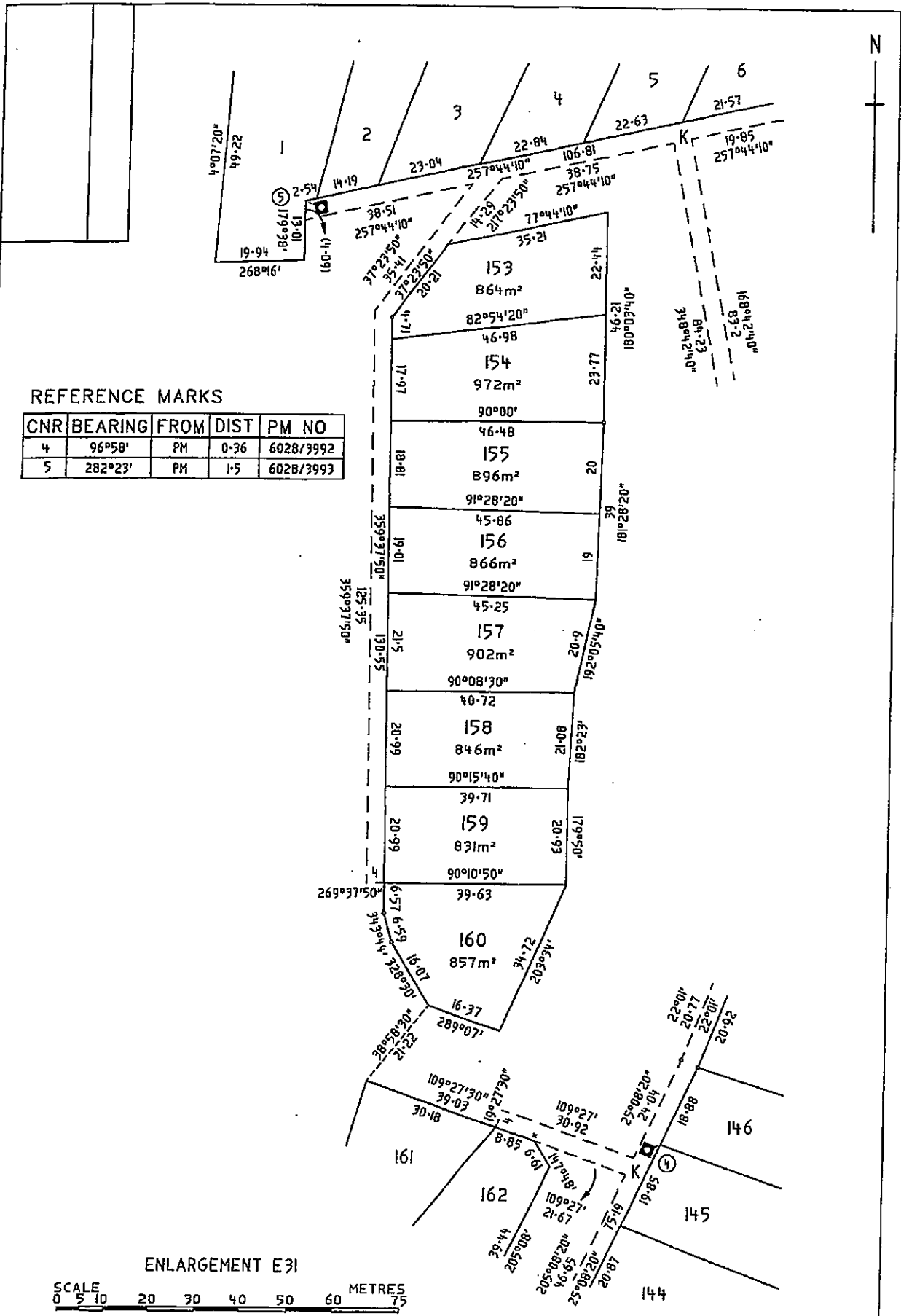


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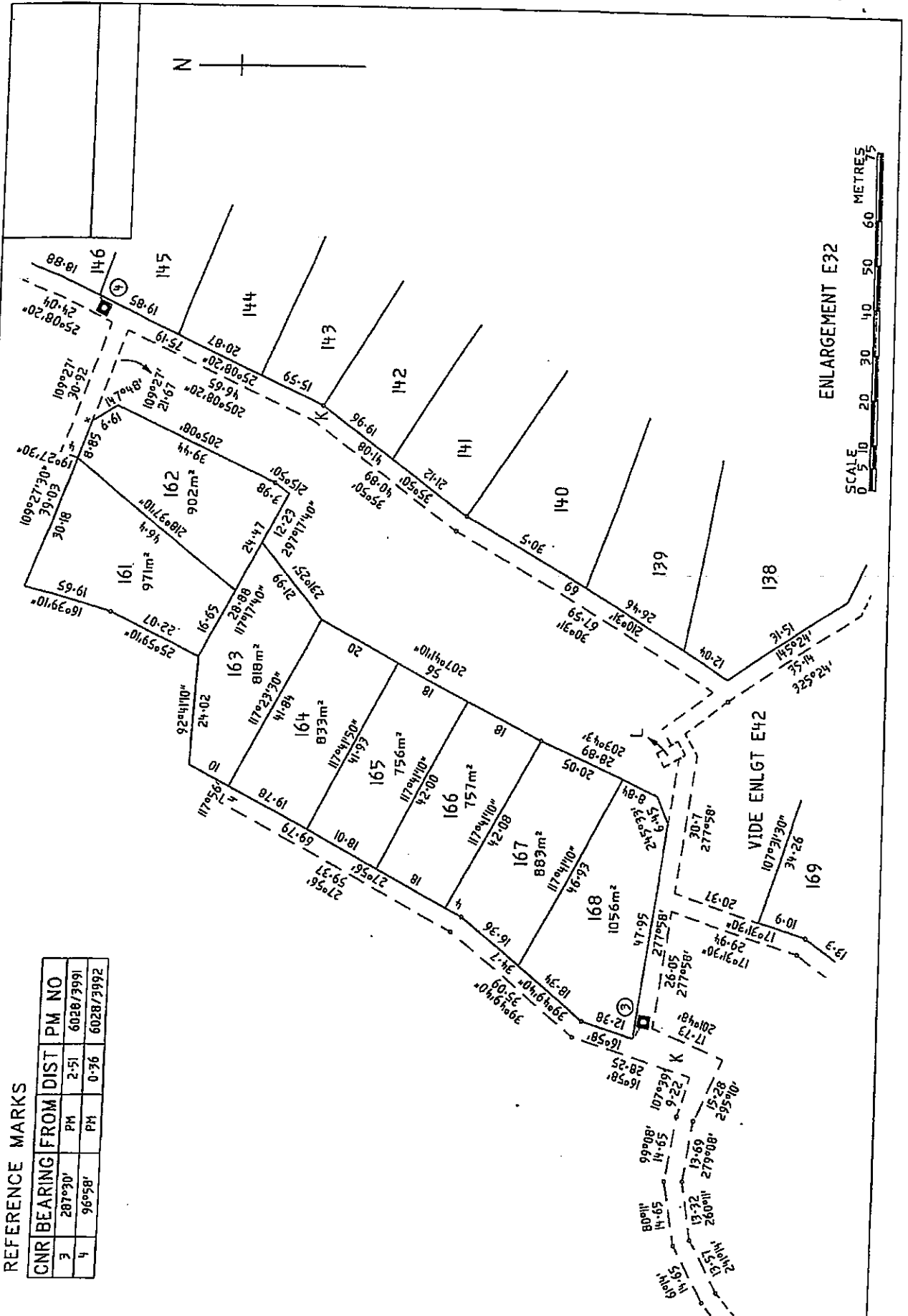
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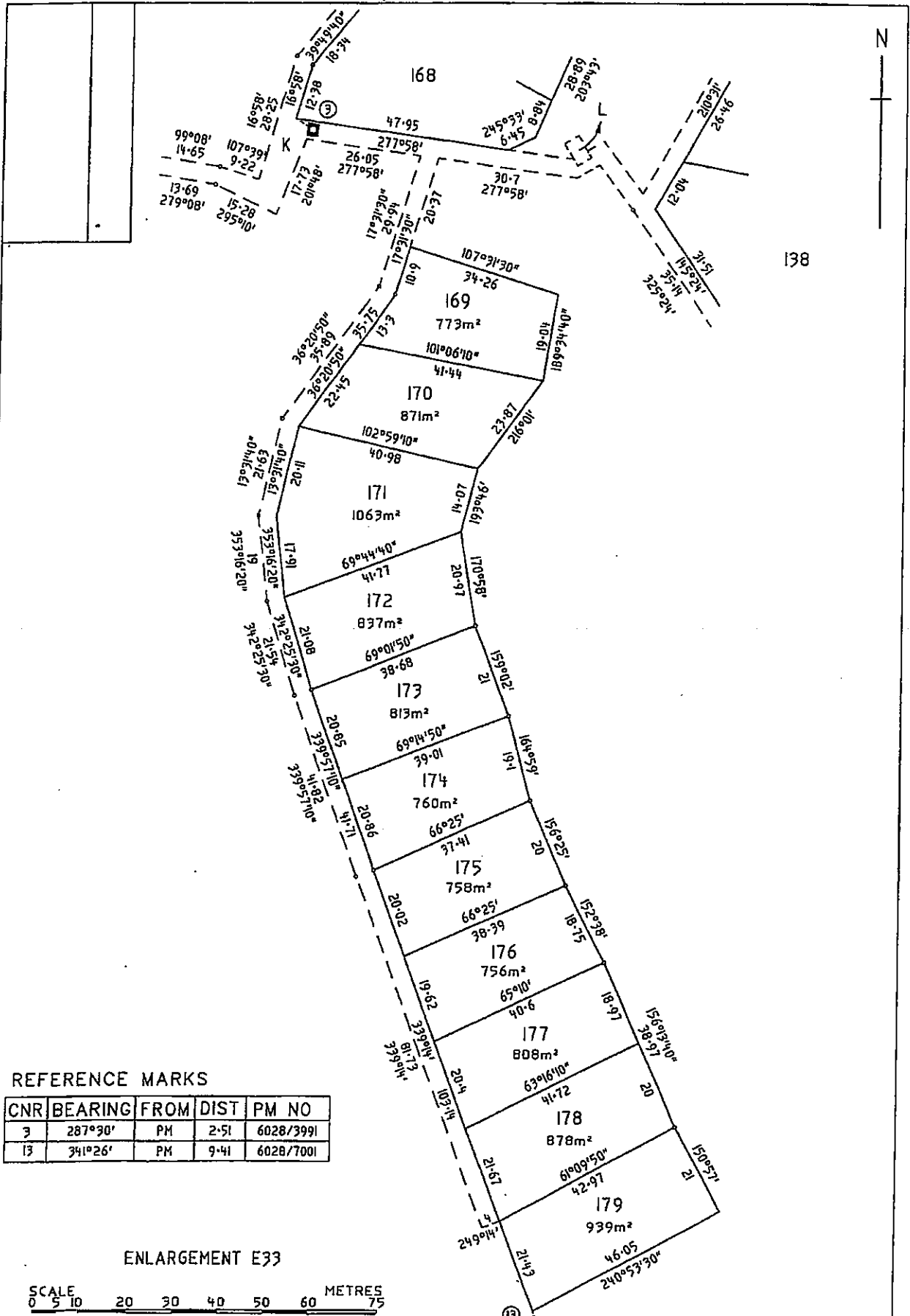


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| 3   | 287°30' | PM   | 2.51 | 6028/3991 |
| 4   | 96°58'  | PM   | 0.76 | 6028/3992 |



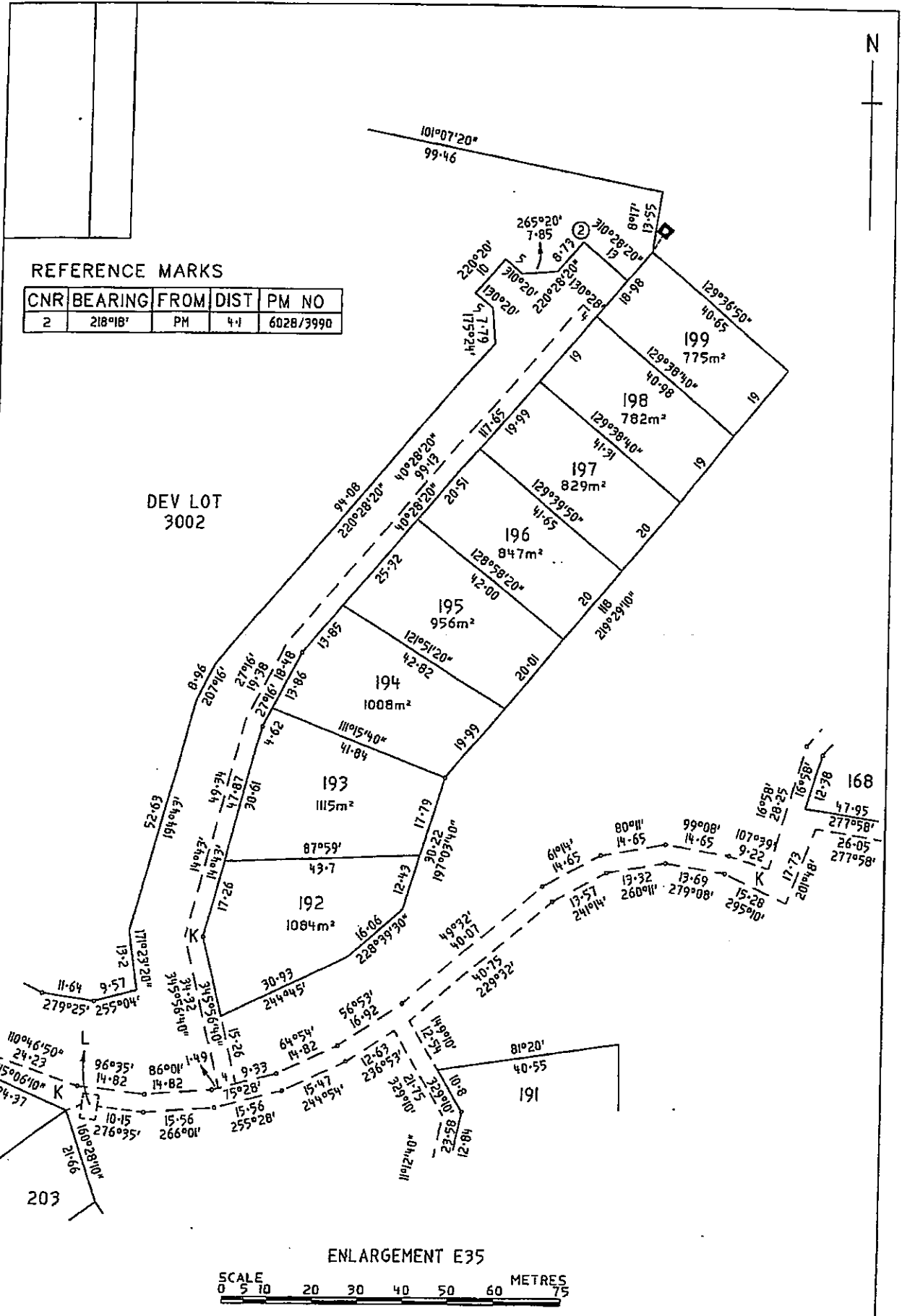
REFERENCE MARKS

| CNR | BEARING | FROM | DIST | PM NO     |
|-----|---------|------|------|-----------|
| 3   | 287°30' | PM   | 2-51 | 6028/3991 |
| 13  | 341°26' | PM   | 9-41 | 6028/7001 |

ENLARGEMENT E33







REFERENCE MARKS

| CNR | BEARING | FROM | DIST | PM NO     |
|-----|---------|------|------|-----------|
| 2   | 218°18' | PM   | 4.1  | 6028/3990 |

DEV LOT  
3002

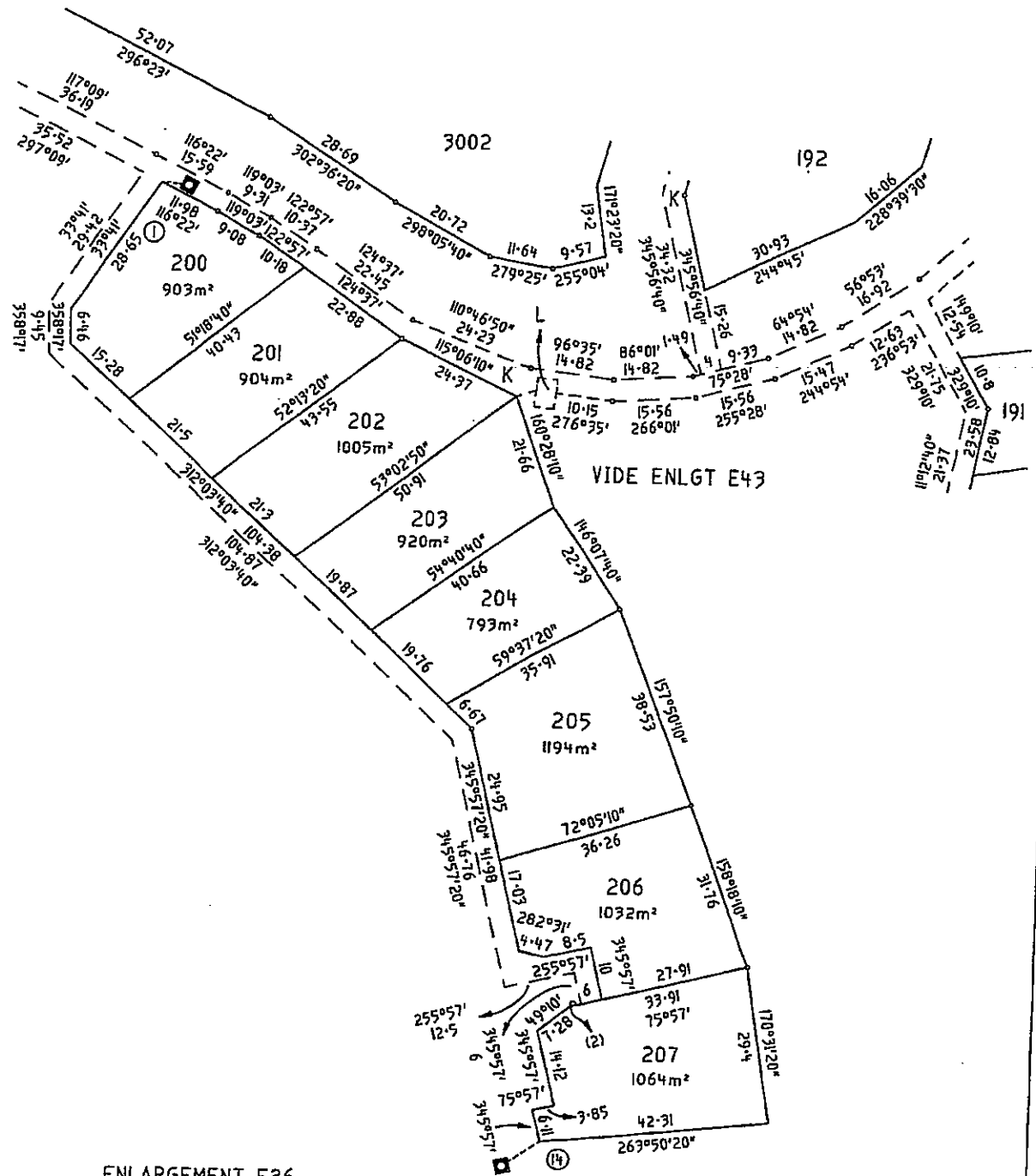
ENLARGEMENT E35



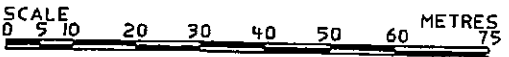
TERMS OF INSTRUMENT NOT CHECKED BY LANDS TITLES OFFICE

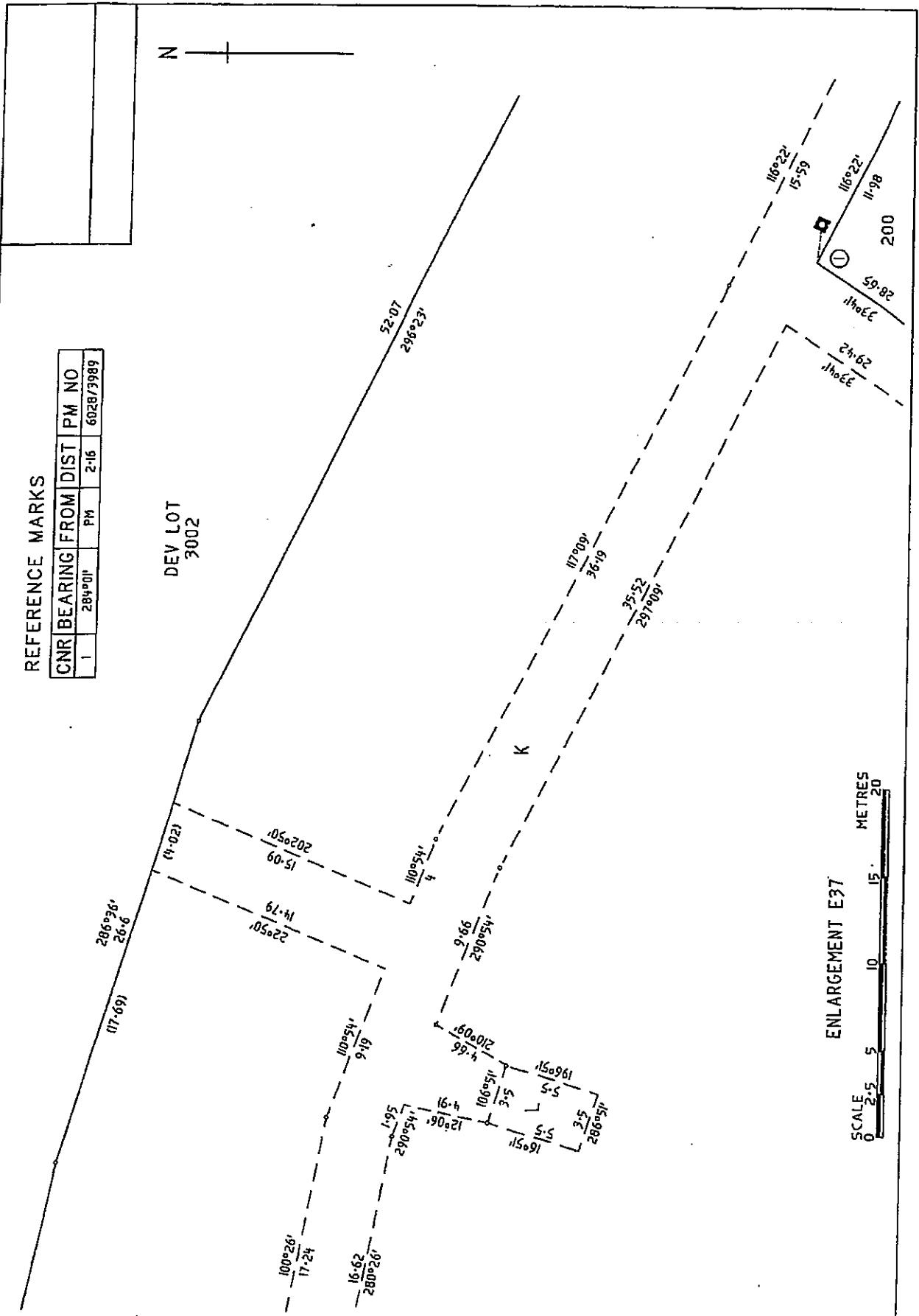
REFERENCE MARKS

| CNR | BEARING | FROM | DIST | PM NO     |
|-----|---------|------|------|-----------|
| 1   | 284°01' | PM   | 2.16 | 6028/3989 |
| 14  | 52°57'  | PM   | 7.93 | 6028/7002 |



ENLARGEMENT E36





REFERENCE MARKS

| CNR | BEARING | FROM | DIST | PM        | NO |
|-----|---------|------|------|-----------|----|
| 1   | 284°01' | PM   | 2.16 | 6028/3989 |    |

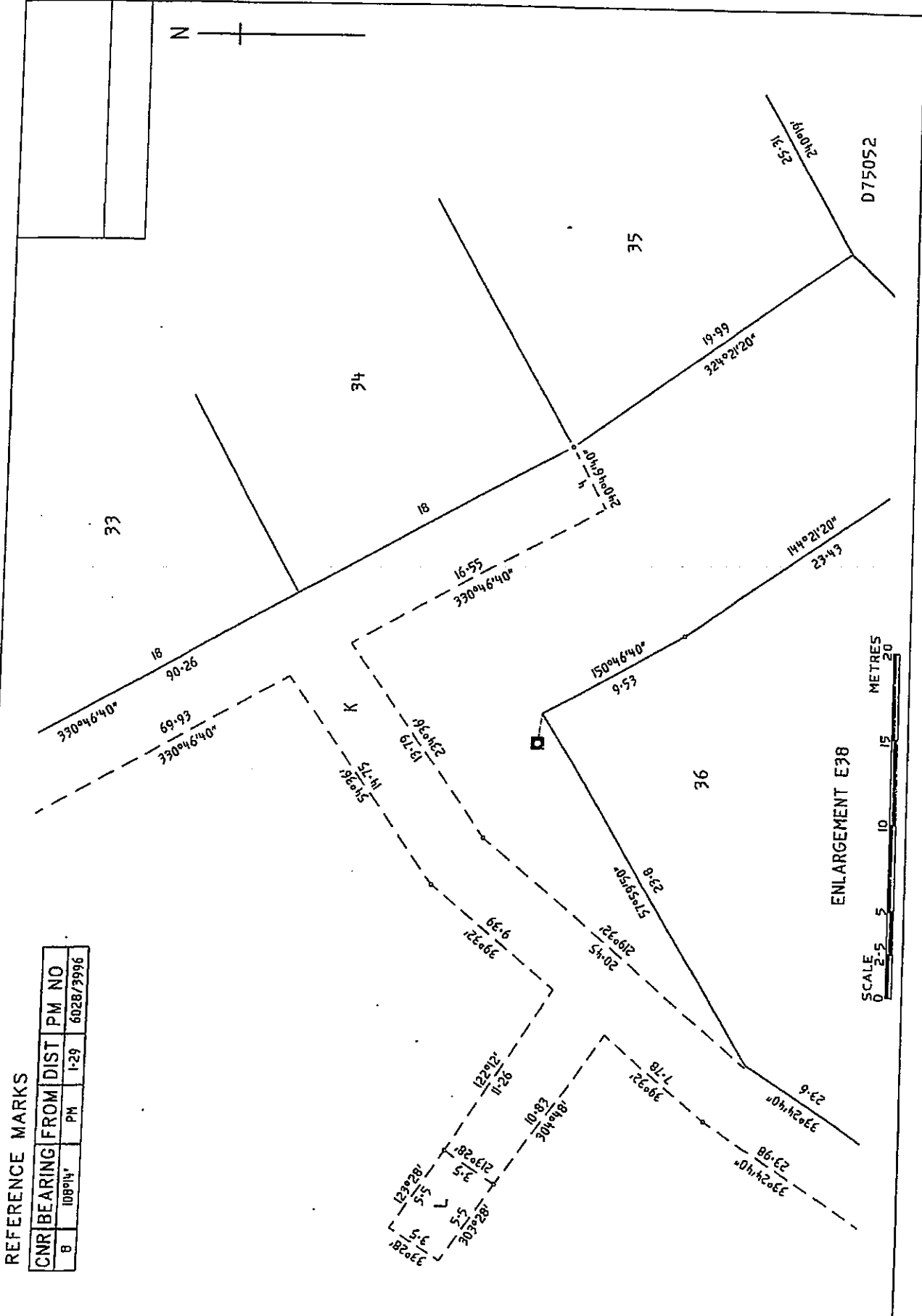
DEV LOT  
3002

ENLARGEMENT E37  
SCALE 0 2.5 5 10 15 20 METRES



TERMS OF INSTRUMENT NOT CHECKED BY LANDS TITLES OFFICE

SCHEME DESCRIPTION  
Development No. 932/C029/06



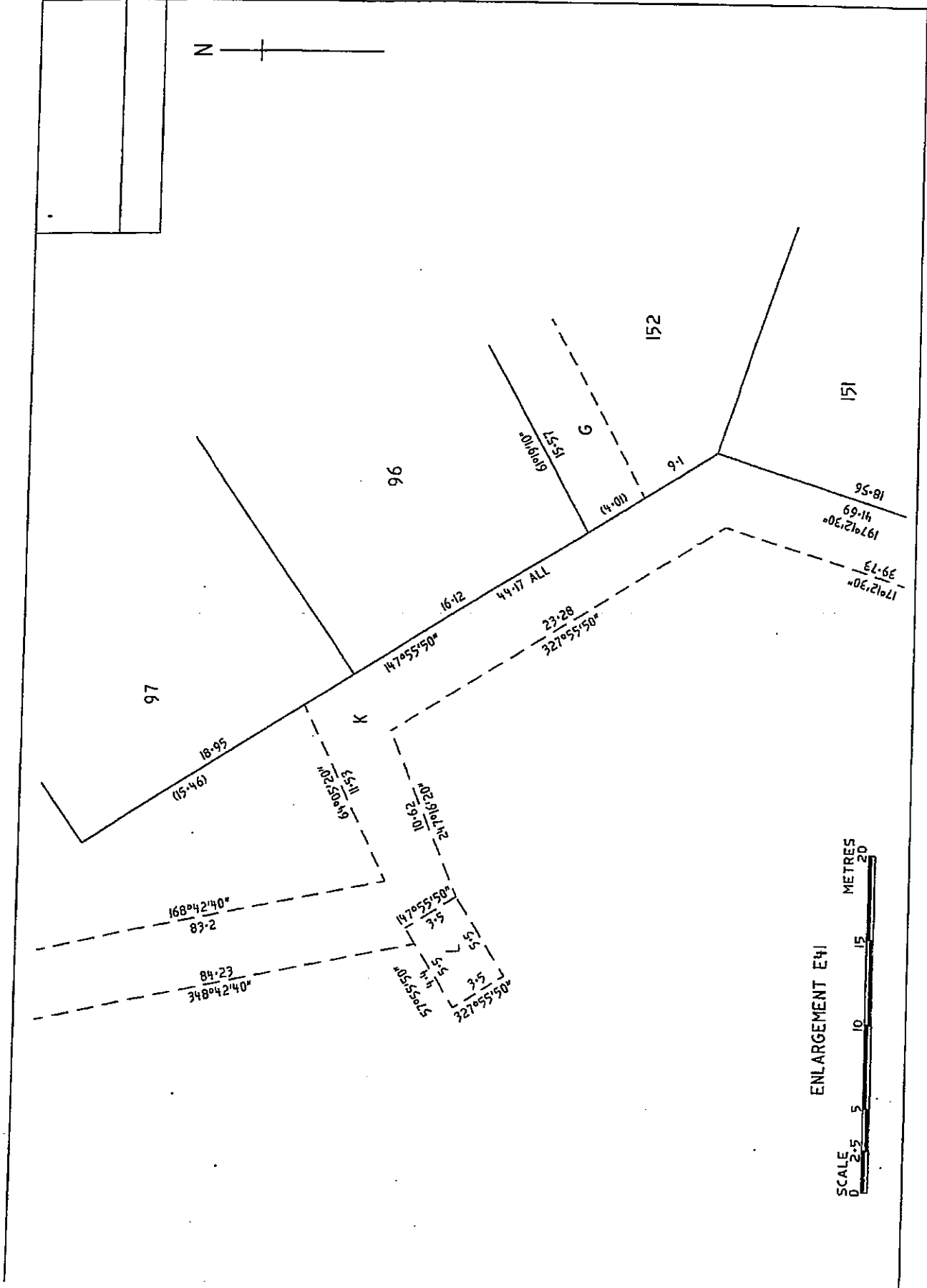
REFERENCE MARKS

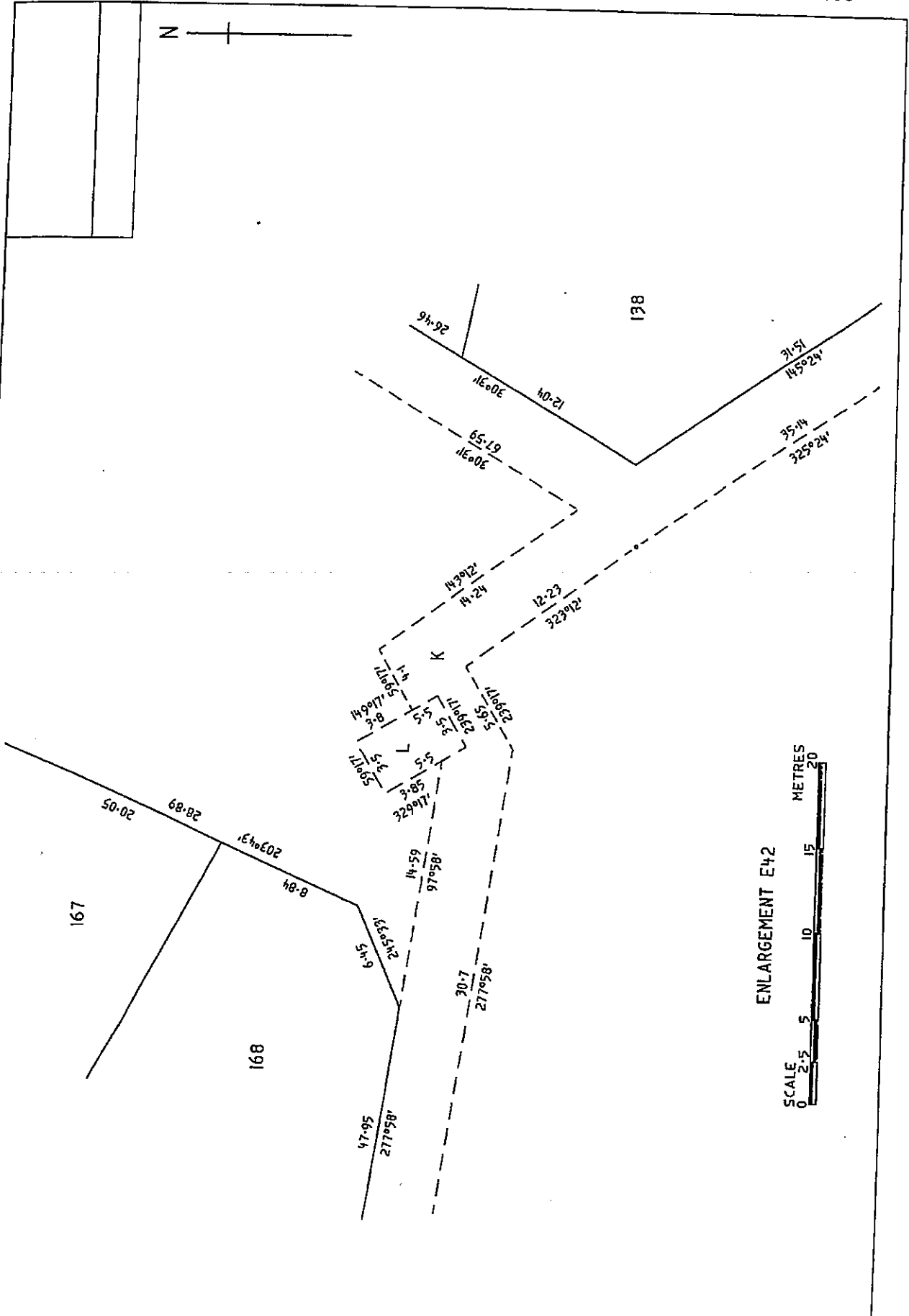
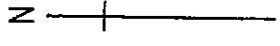
| CNR | BEARING | FROM | DIST | PM NO     |
|-----|---------|------|------|-----------|
| B   | 108°44' | PM   | 1-29 | 6028/3996 |

ENLARGEMENT E38

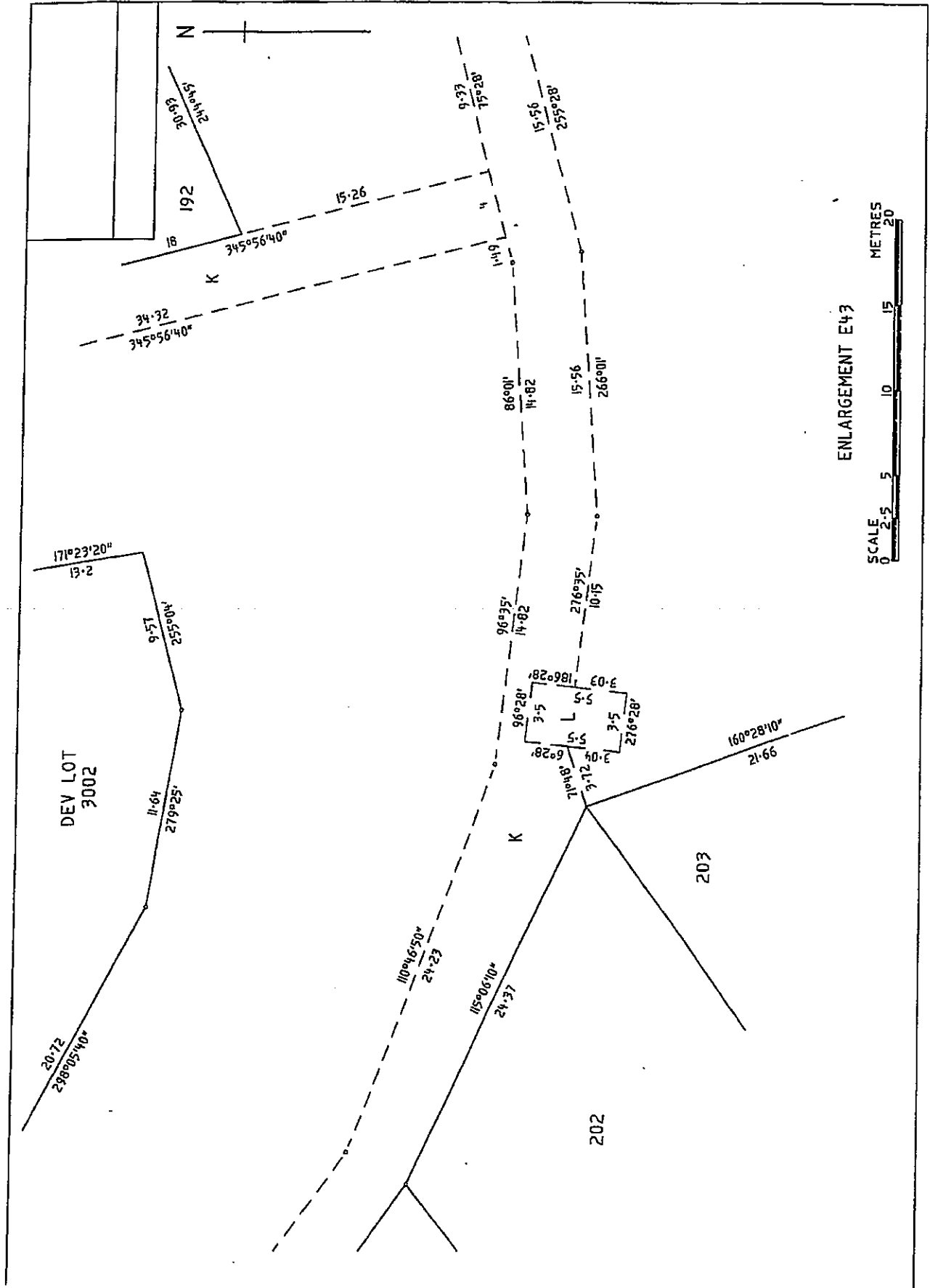
SCALE 0 2.5 5 10 15 20 METRES

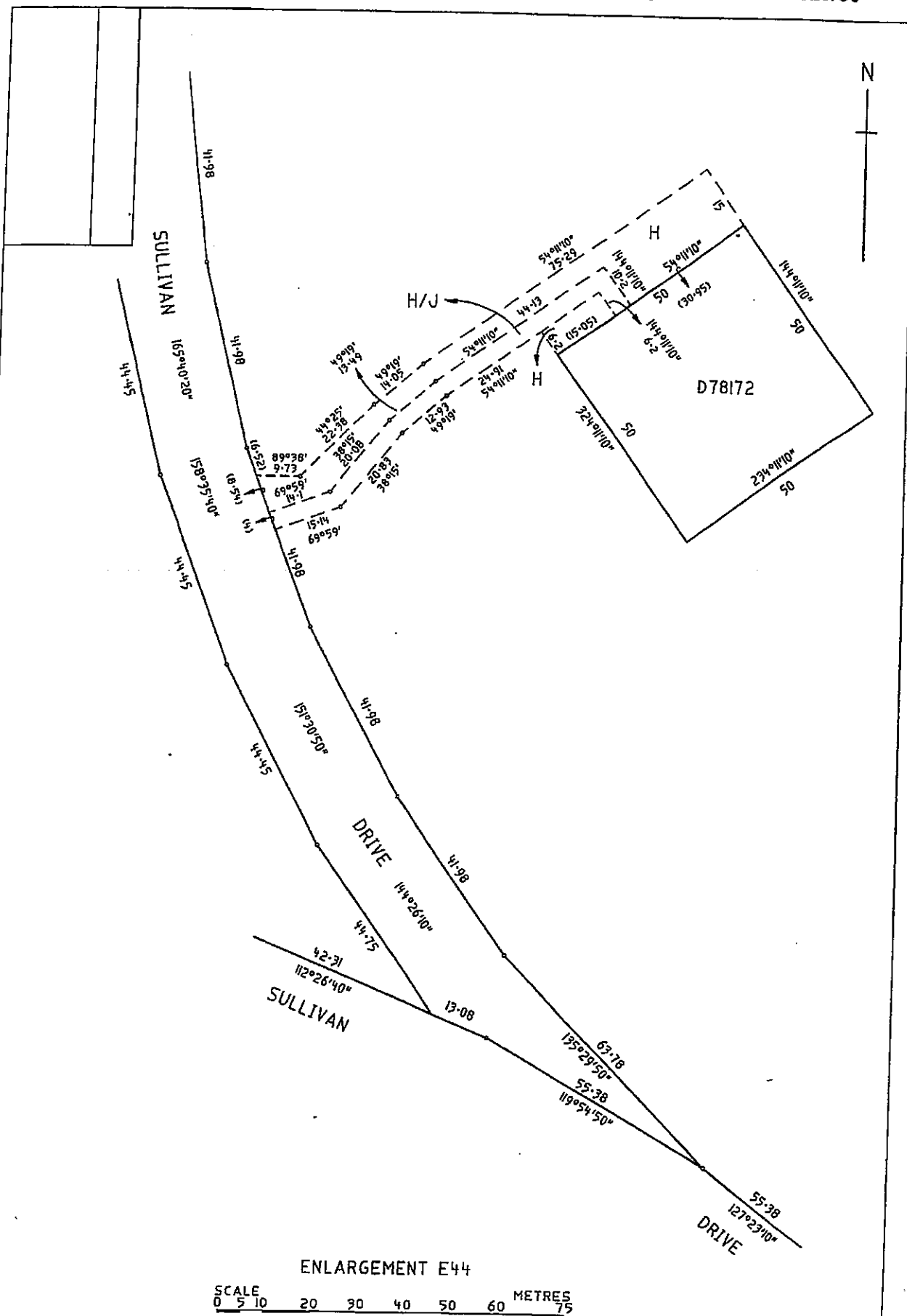
TERMS OF INSTRUMENT NOT CHECKED BY LANDS TITLES OFFICE





ENLARGEMENT E42  
SCALE 0 2.5 5 10 15 20 METRES





ENLARGEMENT E44



# **POINT BOSTON**

## DESIGN GUIDELINES

**August 2008**

## POINT BOSTON RESIDENTIAL DEVELOPMENT

## 1. INTRODUCTION

Point Boston will set a benchmark in architectural and environmental excellence for residential development.

These Design Guidelines have been prepared for a residential estate located on a pristine peninsula environment surrounded by Port Lincoln's Boston Bay. As a 'green-field' site, the project will be sensitively designed to incorporate the most advanced thinking in terms of construction and environmental standards.

Every housing allotment will be within five minutes walk to clear white sandy beaches and native vegetation conservation areas.

The residential estate has been designed as a pedestrian oriented community with a network of meandering paths between allotments, and connections to the coast and vegetated areas. Each allotment has been carefully designed, sited and orientated to capture views either towards the coast, or towards the intact stands of native vegetation.

As the land comprising the residential estate is deemed to be a high fire risk area purchasers must comply with the Building Code of Australia requirements for high fire risk areas and all specific CFS requirements.

## 2. DEFINITIONS

|                                      |                                                                                                                                                                                                                                                                               |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Contract</b>                      | The contract to which the Design Guidelines are attached.                                                                                                                                                                                                                     |
| <b>Design Review Architect (DRA)</b> | The Architect appointed by the Developer to review all prospective residential development proposals.                                                                                                                                                                         |
| <b>Building Line</b>                 | The line beyond which no part of any building will be permitted to project.                                                                                                                                                                                                   |
| <b>Rear Boundary</b>                 | The allotment boundary generally closest to the coast, and from which vehicular access will not be gained.                                                                                                                                                                    |
| <b>Primary Street Boundary</b>       | The allotment boundary generally the most distant from the coast, and from which vehicular access will be gained from the adjacent private road.                                                                                                                              |
| <b>Side Boundary</b>                 | The allotment boundary generally shared with an adjacent allotment.                                                                                                                                                                                                           |
| <b>Corner Boundary</b>               | Any allotment boundary abutted by two intersecting private roads.                                                                                                                                                                                                             |
| <b>Site Coverage</b>                 | The combined area of the building footprint, calculated as a percentage of the allotment area, where the building footprint is inclusive of the floor area of any carport, garage veranda, porch and outbuilding, but is exclusive of pergolas and other unroofed structures. |
| <b>Hardstand</b>                     | All impervious paved ground level areas. This shall not exceed 30 percent of the allotment area.                                                                                                                                                                              |

|                          |                                                                                                                                                        |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Floor Level (AHD)</b> | The floor level of each floor of a structure expressed in relation to Australian Height Datum (AHD).                                                   |
| <b>Footprint</b>         | The area, measured between all external walls, which encloses a building and includes the area of any carport, garage, verandah, porch or outbuilding. |
| <b>Building Envelope</b> | The horizontal and vertical space within each allotment beyond which no part of any building or structure may protrude.                                |

### 3. ARCHITECTURAL APPROACH

A high standard of modern contemporary design, with emphasis on environmental sustainability, is required for each allotment. Prospective purchasers are therefore encouraged to seek the advice of talented professional architects and designers at the commencement of the building design process.

The aim of this approach is buildings of the highest architectural and environmental quality, where each residence adds value to that of its neighbour and to the community as a whole.

Building designs will be "360" in nature, with all elevations sensitively and carefully designed and constructed to the highest design standards to be attractive when looked at from every direction. Typical "backyard" elevations will not be approved.

### 4. APPROVAL PROCEDURE

Each prospective land purchaser will be provided with a scaled plan of their building allotment, showing a dimensioned *building envelope* within which building work will be allowed.

To ensure that approvals are expedited as quickly as possible and with minimum expense, prospective purchasers are required to provide documentation as follows.

#### Step 1: Schematic Design Review:

- Complete and submit the 'Schematic Design Review Application' form enclosed with these guidelines, together with a sketch of the proposed residence which has been designed in accordance with these guidelines.
- Upon examination and approval of the Schematic Design Review Application by the *Design Review Architect (DRA)*, permission will either be given to submit a formal development application to build on the allotment in accordance with the sketch provided, or advice will be provided as to any alterations required to achieve consistency with the Design Guidelines.
- Any required alterations, such as:
  - alterations to buildings, fences and landscaping;
  - additions to buildings;



- repainting – colours, etc; and
- ancillary structures,

must be resubmitted to and approved by the *DRA*.

- The *DRA* may approve minor variations to the Design Guidelines on a case by case basis, but such minor variations as may be approved will not necessarily be accepted as setting a precedent for other or future approvals.

Please submit two (2) copies of all documents suitably annotated and coloured to:

**POINT BOSTON DESIGN REVIEW ARCHITECT  
C/- PENTROTH PTY LTD  
67 ARCHER STREET, NORTH ADELAIDE SA 5006**

together with payment of \$350.00 to cover the cost of assessment.

- All documents submitted must be clearly marked with the owner's name, address and contact details, including the address of the allotment for which *DRA* approval is sought.

#### **Important Notes**

*Obtaining **DRA** approval under these Design Guidelines is **not** a substitute for obtaining planning and building approval from the District Council of Lower Eyre Peninsula. The Council has a statutory requirement under the Development Act 1993 to administer the Development Plan for its area, and is the relevant planning authority for all development (building and land division) matters. A separate and subsequent development application must be submitted to and approved by the District Council of Lower Eyre Peninsula. Development must not proceed until the Council has issued development approval (planning and building consent).*

*Statutory obligations (local, State and federal) may change from time to time. As such, amendments to the Architectural Design Guidelines may be required as a consequence of those changes.*

#### **Documents Required (A3 Format)**

- Schematic Design Review Application form.
- Schematic design drawings, all drawn to scale.
- Site Plan drawn to a scale of 1:200, showing the position of every proposed building, and including all dimensions and setbacks, north point, paths and retaining walls shown.
- Outline the permitted building envelope and the position of all buildings within the horizontal design envelope (shown dotted).
- Building plan of each storey showing doors, windows, overhangs and roof shape (roof pitch in degrees to be included).
- Plan of every outbuilding.

- Material types, finishes and colour schemes for all external surfaces.
- Section through allotment and building(s) indicating relationships of floor level(s) to site levels.
- Elevations of each façade indicating how those facades will fit within the vertical design envelope (shown dotted).
- Stormwater management system.
- Payment (cheque, money order or the like) for \$350.00, made out to Pentroth Pty Ltd.

**Step 2: Development Application Review:**

After receiving schematic design approval from the *DRA*, owners must then document their application to a standard necessary for formal lodgement with the District Council of Lower Eyre Peninsula as a development application, in accordance with the Development Act 1993. The development application process involves documentation necessary to obtain what is known as Provisional Development Plan Consent (*planning approval*) and Provisional Building Rules Consent (*building approval*). Both consents amount to what is then referred to as *Development Approval*. *Building approval* can be obtained either from the Council or from a Private Certifier, but whatever arrangement is adopted, the documentation submitted for building approval must correspond with the documentation submitted for planning approval.

Building works (including site excavation) must not commence until development approval has been obtained, in writing, from the District Council of Lower Eyre Peninsula.

**Documents Required**

- *DRA* stamped documents approved during Schematic Design Review.
- Documentation suitable for development approval from District Council of Lower Eyre Peninsula.
- Specification of all materials and workmanship.
- List of all materials, finishes and colours.
- Area of allotment and percentage coverage of buildings and impervious surfaces.
- Footprint and area of all buildings.

**DRA Approval**

- The *DRA* may at his or her absolute discretion approve, approve with conditions, or disallow any application based upon the architectural merit of the proposal under consideration.

- Following approval by the *DRA*, documents will be stamped and may then be submitted by the owner for planning and building approval from the District Council of Lower Eyre Peninsula.

## 5. GENERAL BUILDING REQUIREMENTS

### 5.1 Siting and Building Height

- Beachfront residences (i.e. those residences closest to the coast) shall be single storey structures.
- The highest point of any single storey structure shall be 5.5 metres, measured from finished ground *floor level* to the highest point of the roof.
- No building shall be greater than two storeys in height.
- The highest point of any two storey structure shall be 8.2 metres.
- No building shall be sited closer to any *side boundary* than 2.0 metres.
- Building *site coverage* should not exceed 40 percent of the allotment area.
- Building setback from the primary street boundary should be no less than 4.0 metres.
- Buildings, while orientated to take advantage of coastal or native vegetation views, should be designed to maximise northern winter sunlight penetration into living areas.

The upstairs to each double storey dwelling should be no wider than 65% of the average of the width of the allotment at the front and rear of the dwelling. This does not apply to the high set dwellings on specified lots where normal 2m offsets from boundaries apply. The specified high set lots for stage one are lots 1,2,3,122-124,128,127,153-159,180-183, and 200-207.

The specified high set lots for stage 2 are lots 330 – 333 inclusive, lots 312-315 inclusive and lots 299 – 303 inclusive.

### 5.2 Architectural Style

- Contemporary 'Australian Coastal' architectural designs are required for every residence and ancillary structures. Period reproduction styles such as Tudor, Federation, Tuscan and Heritage, and adaptations of these design themes, are not acceptable and will not be approved.
- A catalogue of acceptable architectural styles will be made available for inspection and consideration.

### 5.3 LPG Gas Meter

- The Purchaser must install at its own cost either an LPG gas meter at the boundary of the Purchaser's lot or incorporate the LPG meter into a dual purpose meter box designed for both gas and electrical meters located on the dwelling.

#### 5.4 Upper Level Roof Decks and Balconies

- Roof decks and balconies for viewing purposes will be allowed, provided that they are contained within the building envelope.
- A covered stair access, no greater than 4.0 square metres in area, will be allowed to exceed the building height (vertical) envelope, at the discretion of the *DRA*.
- Roof decks and balconies are required to be incorporated entirely within the main roof structure, and designed as an integrated component of the overall residential design.

#### 5.5 Materials and Construction

- All building materials shall be selected to withstand exposure to coastal conditions.
- All building materials must be approved by the CFS Development Assessment Unit.
- Ferrous materials must be either pre-coated, hot dip galvanised or stainless steel to achieve the highest standard of corrosion resistance. All steel sheet roofing shall be BHP *Ultra Colorbond* or stainless steel *Colorbond*, or of equal approved standard.
- All stainless steel fittings shall be of marine standard.
- There shall be no secondhand materials used, unless with the approval of the *DRA*.

#### 5.6 Roofing

- Roof materials shall be:
  - coated steel sheeting, including corrugated Colorbond;
  - flat profile shingle tiles, or
  - other materials by approval of the *DRA*.

#### 5.7 Transportable Dwellings

Transportable prefabricated homes will not be allowed unless by approval of the *DRA*.

#### 5.8 Walls

- Face brickwork shall not constitute more than 10 percent of any wall surface.
- Metal cladding shall not exceed more than 50 percent of any wall surface.

#### 5.9 Colour

- External colours should generally be light. For two storey residences the lower level may be of darker hues than the upper level.

#### 5.10 Sun Control

- All windows facing north and west should be protected from direct sunlight by eaves, screens or awnings.

#### 5.11 Windows

- Windows should have an openable element to take advantage of natural ventilation and breezes.

#### 5.12 Overlooking/Privacy

- Direct overlooking between the habitable rooms of adjacent dwellings is to be minimised by building layout, location and design of windows and balconies, screening devices and landscaping.
- Ground floor windows and verandas should be suitably screened by landscaping and screen fencing to a height of 1.8 metres.
- In dwellings where any upper level *floor level* has windows of habitable rooms or balconies with an outlook at an angle closer than 45 degrees to a habitable window or balcony of an adjacent dwelling, the window or balcony shall be suitably screened.
- Suitable screening techniques may include:
  - fixed obscure glazing in any part of the window below 1,500 millimetres above *floor level*;
  - fixed external screens to windows or balconies; or
  - sill heights greater than 1,500 millimetres above *floor level*.
- Approved screening materials include timber battens, louvred shutters, sail fabric or mesh.

#### 5.13 Acoustic Privacy

- The siting of air-conditioning compressors shall be carefully located to minimise the impact on neighbouring residences.

#### 5.14 Decks and Verandahs

- All deck and verandah supports must be timber, galvanised steel or masonry construction and shall be pre-treated, painted or stained to match the colour of the dwelling or be of an appropriate trim colour.
- Verandah roofs must be compatible in colour, material and form with the main roof.
- Verandahs should contain detailing elements to enhance their appearance from the road. Shutters or retractable windows shall be effective in attenuating solar and acoustic impacts.

### 5.15 Driveways

- Generally only one driveway and crossover will be permitted for each allotment, and the driveway and crossover should not be wider than 4.0 metres at the private road boundary of each allotment.
- A landscaping strip of 0.75 metres in width should be planted with screen planting or groundcover between the driveway and the side boundary.
- Approved materials and finishes for driveways may include:
  - masonry/clay pavers;
  - exposed aggregate concrete finish;
  - compacted gravel; and
  - coloured concrete with inserts.
- Driveway access to each allotment shall not be permitted from the **rear boundary** (coastal) side. In all circumstances driveway access shall be via the shortest possible route between the edge of the private road and the **primary street boundary** of an allotment.

### 5.16 Outdoor Structures

- Outdoor freestanding structures including gazebos and storage sheds will be allowed provided they are located within the building envelope, and provided they are constructed in materials and designed to complement the dwelling. Solid masonry walls will not be permitted for outdoor freestanding structures.
- The combined **floor area** of any outdoor freestanding structure will be included in the calculation of **site coverage**.
- Open sided and unroofed pergolas may only be built to the side or rear boundary of an allotment if they are no greater than 5.0 metres in length and do not obstruct a neighbour's view of the coast or native vegetation, whatever the case may be. An open sided and unroofed pergola may be permitted to be built outside of the boundaries of the designated building envelope, but may not be permitted to be built forward (i.e. closer to the road) of the main **building line** of its associated dwelling.

### 5.17 Fencing

Fencing, although not mandatory, will have an integral role in the appearance and character of the residential estate. For this reason, considerable emphasis is placed on the design, size and appearance of fences.

- There shall be no fencing to any **rear boundary**, being the boundary of an allotment which is forward of the main **building line** of the dwelling.
- Fencing to any **primary street boundary** shall be no higher than 1.2 metres and shall be constructed of timber or rural post and wire.
- Fencing to any **side boundary** shall be no higher than 1.8 metres and may be either timber or rural post and wire.

- Fencing to any *side boundary*, where constructed to a height of 1.8 metres or thereabouts, shall be graded downwards to a height of 1.2 metres to correspond with the height of the *primary street boundary* fence.

#### 5.18 Appurtenances and Ancillary Structures

- Roof mounted evaporative coolers, antennas and air-conditioners shall be totally concealed from the view of adjacent neighbours, and shall not 'skyline' when viewed from any direction.
- Clotheslines shall be a retractable type, located in private screened courtyards and concealed from public view.
- Letterboxes, if installed, shall be incorporated in *primary street boundary* fencing with only a slot visible to the street.
- Retaining walls, where required, shall not exceed a vertical height at any point in excess of 500 millimetres from finished ground level on either side of the retaining wall.
- 'Austar' satellite dishes and similar communications devices shall be fixed to side walls only, and shall not be affixed to any part of the roof structure or located where the device would protrude above the dwelling or associated structure.

#### 5.19 Excavation and Filling

- Sites shall be excavated rather than filled in order to reduce the visual impact of development on the landscape, and to preserve view corridors for residents to the rear of those sites. The maximum height of any filled area shall be 1,200 millimetres unless *DRA* approval is given for an amount of fill in excess of this height.
- Site excavation and filling works shall not occur unless all approvals, including development approval from the District Council of Lower Eyre Peninsula, have been obtained.

#### 5.20 Bushfire Resistance

The Country Fire Service requires that a 10 metre wide fuel reduced buffer zone be provided around the residential estate, and that this zone be kept free of development so that it can be accessed by bushfire fighting vehicles at all times. The fuel reduced buffer zone is located on common property, except for allotments numbered 61, 125, 126, 127 and 128 where the buffer passes through the rear yards of those allotments to a width of 10 metres. Although every application for new housing must be sent to the Country Fire Service (CFS) for assessment by the District Council of Lower Eyre Peninsula, the *DRA* will not approve of any application unless it:

- includes fire water storage details that meet the requirements of the CFS, namely a supply of 4,000 litres of water which is available at all times for bushfire fighting purposes on each allotment. This supply is to be connected to a 5.5hp/3.7kW petrol pump capable of pressuring water for bush fire fighting purposes, with 30 meters of

fire fighting hose. The tank which contains the water can be part of the domestic supply. A label marked 'Fire Water' is to be affixed. The diameter of all fittings and flexible reinforced suction hose connecting the water supply to the fuel driven pump shall be no smaller than the diameter of the pump inlet valve;

- all supporting structures (tank stands) for Bushfire fighting water tanks shall be constructed of non-combustible material;
- all non metal fire fighting water supply pipes other than flexible connections to fire fighting pumps shall be buried at least 300mm below finished ground level;
- all above ground bushfire fire fighting water supply pipes shall be metal;
- hose (s) 30 metres length and minimum 19mm internal diameter and metal, spray jet nozzle(s) capable of withstanding the pressures of the supplied water and of sufficient length to reach all parts of the building shall be readily available at all times;
- meets the minimum bushfire safety requirements of the Building Code of Australia (BCA) Australian Standards AS 3959, including the use of materials of construction that conform with the requirements of that code;
- is setback adequately from areas of native vegetation, and in respect to buildings on Allotments 61, 125, 126, 127 and 128, no building or structure is constructed within the 10 metre wide bushfire buffer designated over the rear yards of those allotments;
- a separate free standing fire water tank is not required provided however that a LONDON fitting is provided;
- trees and shrubs should not be planted closer to buildings than the distance to their mature height;
- grasses within 20 metres of a dwelling or to the property boundaries, whichever comes first must be reduced to a height of 100mm within the fire danger season;
- understorey plants and shrubs within 10 metres of the dwelling (or to the boundary properties – whichever comes first) shall be maintained at a density such that when considered overall a maximum coverage of 50% is attained, and so that the leaf area of shrubs within this area is not continuous. Understorey is defined as plants and bushes up to 2 meters in height. Careful selection and landscape planning will permit the 'clumping' of shrubs where desirable, for species diversity and privacy and yet achieve the overall maximum coverage of 50%;
- in addition to the above the vegetation within each allotment shall be managed in accordance with the Point Boston Corporate Bushfire Prevention and Management guidelines.

#### 5.21 Waste Management

- The Purchaser must install at its own cost a BF6 Biolytix Waste Treatment System which will connect at a boundary point on the land nominated by the Vendor to the waste water treatment facility constructed and installed by the Vendor.



- The Purchaser must install at its own cost a pump on each individual allotment as follows:
  - Lots 1-5 and 153-207 – Low lift Pedrollo Sumo 2/5;
  - Lots 6-152 – High lift Pedrollo Sumo 2/7; and
  - All lots in Stage 2 – Low lift Pedrollo Sumo 2/5.

## 5.22 Water Management

- The purchaser must install at its own cost separate water meters and backflow prevention valves for potable water and recycled water of a type prescribed by the Vendor and in accordance with all statutory requirements
- The purchaser must install at its own cost a dual water supply system connected to the connection points on the boundary of the Land. Recycled water must be supplied to the toilets, exterior irrigation and wash down areas using a certified purple pipe system. The installation of the dual water supply system must be checked and certified by a consultant approved by the Vendor prior to the sheeting of the walls of any dwelling on the Land.
- Rainwater tanks must be incorporated into the design of the dwelling and shielded where possible.
- The Purchaser must install at its own cost a non-return valve in a poly box 100 millimetres inside the lot boundary for discharge from the Biolytix Waste Treatment System.
- Due to EPA requirements recycled water is not allowed for garden irrigation on costal frontage lots. Specifically within 100 meters of high water mark.
- The Purchaser must install at its cost two (2) 20 millimetre SA Water Standard Atras meters with a built in check valve. One meter shall be in respect of the potable water supply and the other in respect of the recycled water.
- The Purchaser must install a recycled water purple pipe system to connect the toilet, washing machine (cold), external taps and irrigation. Certification during the construction process is required from a qualified green plumber.
- The Purchaser must install at its cost a sign adjacent to the washing machine in the laundry of the dwelling containing the following words:

*"Only low sodium and low phosphorous detergent to be used in washing machine."*
- The Purchaser must affix a sign on all recycled water outlets (including toilet connection) containing the following words:

*"Caution – water not for drinking"*
- The Purchaser must install at its cost a UV disinfection unit and filter to the drinking water supply and must install an appropriate alarm inside the dwelling.

- The Purchaser must install at its cost a dual check valve in the hot water outlet to the washing machine which valve must be replaced in accordance with the manufacturer's recommendation.

## 6. ENVIRONMENTAL CONSIDERATIONS

Development at Point Boston will reflect and incorporate into its design, siting and construction an understanding and commitment to the principles of environmental sustainability. To this end, and in addition to current statutory requirements, it will be a requirement for each homeowner to commit to these principles by achieving an acceptable 'green rating'.

Approvals will therefore not be granted unless a green rating of 50 or greater is achieved from the following checklist:

|              |                                                                          | Points    |
|--------------|--------------------------------------------------------------------------|-----------|
| 1            | Gas – cook tops, oven, BBQ and hot water service                         | Mandatory |
| 2            | Homeowner commitment to purchase green power                             | 5         |
| 3            | Domestic lighting – at least 60% usage of low wattage fluorescent globes | 5         |
| 4            | Boosted solar hot water                                                  | 5         |
| 5            | Clothes drying lines                                                     | 5         |
| 6            | Ceiling fans                                                             | 3         |
| 7            | Rainwater tanks – as per KBR schedule attached                           | Mandatory |
| 8            | AAA water fittings (where appropriate)                                   | 5         |
| 9            | Dripper irrigation in lieu of sprays                                     | 5         |
| 10           | North facing windows to living areas                                     | 10        |
| 11           | Structure of predominantly renewable plantation timber                   | 5         |
| 12           | Appropriate solar shading to northerly, west and east aspects            | 10        |
| 13           | 5 star rating to all electrical appliances where appropriate             | 5         |
| 14           | Full insulation to walls (R3) and ceilings(R3.5)                         | 10        |
| <b>Total</b> |                                                                          | <b>73</b> |

POINT BOSTON PENINSULA DEVELOPMENT

**KBR**

HOUSE POTABLE WATER TANK MINIMUM REQUIREMENTS<sup>(1)</sup>

| House type          | Storeys                | Bedrooms              | Connected roof area <sup>(2)</sup> and minimum tank <sup>(3)</sup> volume | Tank combination <sup>(4)</sup> |                                   |                         |         |                        |
|---------------------|------------------------|-----------------------|---------------------------------------------------------------------------|---------------------------------|-----------------------------------|-------------------------|---------|------------------------|
| Detached            | 1                      | 2                     | 156 sq m <sup>(4)</sup>                                                   | 16.0 kL                         | 2 x 8 kL                          |                         |         |                        |
|                     |                        |                       | 188 sq m                                                                  | 14.4 kL                         | 1 x 9 kL, 1 x 5.4 kL              |                         |         |                        |
|                     |                        |                       | 235 sq m                                                                  | 13.5 kL                         | 1 x 9 kL, 1 x 4.5 kL              |                         |         |                        |
|                     |                        |                       | 295 sq m                                                                  | 12.5 kL <sup>(5)</sup>          | 1 x 8 kL, 1 x 4.5 kL              |                         |         |                        |
| Detached            | 1                      | 3                     | 270 sq m <sup>(4)</sup>                                                   | 44.0 kL                         | 2 x 22 kL                         |                         |         |                        |
|                     |                        |                       | 275 sq m                                                                  | 40.5 kL                         | 1 x 27 kL, 1 x 13.5 kL            |                         |         |                        |
|                     |                        |                       | 290 sq m                                                                  | 31.0 kL                         | 1 x 22 kL, 1 x 9 kL               |                         |         |                        |
|                     |                        |                       | 325 sq m                                                                  | 26.0 kL                         | 2 x 9 kL, 1 x 8 kL                |                         |         |                        |
|                     |                        |                       | 402 sq m                                                                  | 24.0 kL <sup>(5)</sup>          | 3 x 8 kL                          |                         |         |                        |
| Detached            | 1                      | 4                     | 366 sq m <sup>(4)</sup>                                                   | 62.5 kL                         | 1 x 27 kL, 1 x 22 kL, 1 x 13.5 kL |                         |         |                        |
|                     |                        |                       | 369 sq m                                                                  | 57.5 kL                         | 2 x 22 kL, 1 x 13.5 kL            |                         |         |                        |
|                     |                        |                       | 373 sq m                                                                  | 54.0 kL                         | 2 x 27 kL                         |                         |         |                        |
|                     |                        |                       | 377 sq m                                                                  | 49.0 kL                         | 1 x 27 kL, 1 x 22 kL              |                         |         |                        |
|                     |                        |                       | 380 sq m                                                                  | 44.0 kL                         | 2 x 22 kL                         |                         |         |                        |
|                     |                        |                       | 400 sq m                                                                  | 40.5 kL                         | 1 x 27 kL, 1 x 13.5 kL            |                         |         |                        |
|                     |                        |                       | 428 sq m                                                                  | 36.0 kL                         | 1 x 27 kL, 1 x 9.0 kL             |                         |         |                        |
|                     |                        |                       | 433 sq m                                                                  | 35.5 kL <sup>(5)</sup>          | 1 x 22 kL, 1 x 13.5 kL            |                         |         |                        |
| Detached            | 2                      | 2                     | 157 sq m <sup>(4)</sup>                                                   | 16.0 kL                         | 2 x 8 kL                          |                         |         |                        |
|                     |                        |                       | 192 sq m                                                                  | 14.4 kL                         | 1 x 9 kL, 1 x 5.4 kL              |                         |         |                        |
|                     |                        |                       | 250 sq m                                                                  | 13.5 kL                         | 1 x 9 kL, 1 x 4.5 kL              |                         |         |                        |
|                     |                        |                       | 310 sq m                                                                  | 12.5 kL <sup>(5)</sup>          | 1 x 8 kL, 1 x 4.5 kL              |                         |         |                        |
| Detached            | 2                      | 3                     | 265 sq m <sup>(4)</sup>                                                   | 66.0 kL                         | 3 x 22 kL                         |                         |         |                        |
|                     |                        |                       | 267 sq m                                                                  | 62.5 kL                         | 1 x 27 kL, 1 x 22 kL, 1 x 13.5 kL |                         |         |                        |
|                     |                        |                       | 271 sq m                                                                  | 57.5 kL                         | 2 x 22 kL, 1 x 13.5 kL            |                         |         |                        |
|                     |                        |                       | 273 sq m                                                                  | 54.0 kL                         | 2 x 27 kL                         |                         |         |                        |
|                     |                        |                       | 276 sq m                                                                  | 49.0 kL                         | 1 x 27 kL, 1 x 22 kL              |                         |         |                        |
|                     |                        |                       | 280 sq m                                                                  | 44.0 kL                         | 2 x 22 kL                         |                         |         |                        |
|                     |                        |                       | 295 sq m                                                                  | 40.5 kL                         | 1 x 27 kL, 1 x 13.5 kL            |                         |         |                        |
|                     |                        |                       | 314 sq m                                                                  | 36.0 kL                         | 1 x 27 kL, 1 x 9.0 kL             |                         |         |                        |
|                     |                        |                       | 317 sq m                                                                  | 35.5 kL                         | 1 x 22 kL, 1 x 13.5 kL            |                         |         |                        |
|                     |                        |                       | 322 sq m                                                                  | 32.4 kL                         | 1 x 27 kL, 1 x 5.4 kL             |                         |         |                        |
|                     |                        |                       | 352 sq m                                                                  | 31.0 kL <sup>(5)</sup>          | 1 x 22 kL, 1 x 9.0 kL             |                         |         |                        |
|                     |                        |                       | Detached                                                                  | 2                               | 4                                 | 330 sq m <sup>(4)</sup> | 35.5 kL | 1 x 22 kL, 1 x 13.5 kL |
|                     |                        |                       |                                                                           |                                 |                                   | 331 sq m                | 32.5 kL | 1 x 27 kL, 1 x 5.4 kL  |
| 347 sq m            | 30.0 kL                | 1 x 22 kL, 1 x 8 kL   |                                                                           |                                 |                                   |                         |         |                        |
| 364 sq m            | 27.5 kL                | 1 x 22 kL, 1 x 5.4 kL |                                                                           |                                 |                                   |                         |         |                        |
| 373 sq m            | 26.5 kL                | 1 x 22 kL, 1 x 4.5 kL |                                                                           |                                 |                                   |                         |         |                        |
| 386 sq m            | 26.0 kL <sup>(5)</sup> | 2 x 9 kL, 1 x 8 kL    |                                                                           |                                 |                                   |                         |         |                        |
| Duplex (1 tenement) | 1                      | 3                     | 130 sq m <sup>(4)</sup>                                                   | 24.0 kL                         | 3 x 8 kL                          |                         |         |                        |
|                     |                        |                       | 140 sq m                                                                  | 22.0 kL                         | 1 x 22 kL                         |                         |         |                        |
|                     |                        |                       | 150 sq m                                                                  | 22.0 kL                         | 1 x 22 kL                         |                         |         |                        |
|                     |                        |                       | 160 sq m                                                                  | 13.5 kL                         | 1 x 13.5 kL                       |                         |         |                        |
|                     |                        |                       | 170 sq m                                                                  | 9.0 kL <sup>(5)</sup>           | 1 x 9 kL                          |                         |         |                        |
| Medium density unit | N/A                    | 2                     | 110 sq m <sup>(4)</sup>                                                   | 12.5 kL                         | 1 x 8 kL, 1 x 4.5 kL              |                         |         |                        |
|                     |                        |                       | 115 sq m                                                                  | 10.8 kL                         | 2 x 5.4 kL                        |                         |         |                        |
|                     |                        |                       | 120 sq m                                                                  | 9.9 kL                          | 1 x 5.4 kL, 1 x 4.5 kL            |                         |         |                        |
|                     |                        |                       | 130 sq m                                                                  | 8.0 kL <sup>(5)</sup>           | 1 x 8 kL                          |                         |         |                        |

Notes:

- Tank volumes are based on combinations of the Team Poly range and are the minimum required for the roof area stated and apply up to the next larger roof area. Tanks of other manufacture are permitted and tank volumes for intermediate roof areas may be interpolated.
- The connected roof area is to include the house, garage, shed and any other outbuilding. House roof areas are to be directly connected by gravity to the potable water tank(s). Other buildings may be connected by pumping from a 500 L collection tank on the ground (in-ground not to be used due to the risk of contamination). Each pump shall transfer to the main tank(s) at a rate of not less than 20 L/minute. The pipe shall not be less than 25 mm nominal diameter.
- The required tank volumes as scheduled include the following provision for SA Water supplementation water:
  - 2 bedrooms 0.4 kL
  - 3 bedrooms 0.6 kL
  - 4 bedrooms 0.8 kL

The SA Water supply is to be connected to the lowest main tank on the allotment. The SA Water supply float valve (or other type of level control valve) is required to have the above provision and no more between the valve shut off level and the potable supply offtake to the house, which is to be at the bottom of the lowest tank.
- This is the minimum roof area to be connected to the tank(s) for this housing category.
- This is the minimum tank volume for this housing type.





DISTRICT COUNCIL OF LOWER EYRE PENINSULA

DECISION NOTIFICATION FORM

DEV. NO 932/C029/06

TO: Pentroth Pty Ltd, 67 Archer Street, North Adelaide SA 5006

LOCATION OF PROPOSED DEVELOPMENT:

Sections 109 and 110 in HP 510700 and Allotments 71 & 72 in DP 59915, Hundred of Louth

Nature of  
Proposed Development LAND DIVISION


From DISTRICT COUNCIL OF LOWER EYRE PENINSULA

In respect of this proposed development you are informed that

| Nature of Decision                   | Consent Granted | No. of Conditions | Consent Refused | Not Applicable |
|--------------------------------------|-----------------|-------------------|-----------------|----------------|
| Provisional Development Plan consent | Yes             | 3                 |                 |                |
| Land Division                        | Yes             | 7                 |                 |                |
| Development Assessment Commission    | Yes             | 1                 |                 |                |
| Provisional Building Rules consent   |                 |                   |                 |                |
| Public Space                         |                 |                   |                 |                |
| Other                                |                 |                   |                 |                |
| <b>DEVELOPMENT APPROVAL</b>          | <b>GRANTED</b>  | <b>11</b>         |                 |                |

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification form, you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.

Date of Decision 14 December 2006

Signed  .....  
PETER AIRD  
CHIEF EXECUTIVE OFFICER



**DISTRICT COUNCIL OF LOWER EYRE PENINSULA**

**FOR ENQUIRIES:**

**HEAD OFFICE:**

32 Railway Terrace, CUMMINS SA 5631  
Postal Address: Box 41, CUMMINS SA 5631  
Telephone: (08) 8676 2106 Fax: (08) 8676 2375

**BRANCH OFFICE:**

38 Washington Street, PT LINCOLN SA 5606  
Postal Address: Box 130, PT LINCOLN SA 5606  
Telephone: (08) 8682 1622 Fax: (08) 8683 0232

Refer LB C029/06

**PROVISIONAL DEVELOPMENT PLAN CONSENT:**

- 1 The application hereby approved shall be carried out in accordance with the following documents:
- Plan of Division prepared by PA Dansie & Associates Pty Ltd reference 02326 as uploaded through the EDALA system on 25 July 2006;
  - The Development Application Report as prepared by Pentroth Pty Ltd dated 24 July 2006 as received by Council on 27 July 2006;
  - Covering Letter from Pentroth Pty Ltd to the Chief Executive Officer dated 25 July 2006 as received by Council on 27 July 2006;
  - Enlarged Drawing reference AEU403-U-DWG-105 REV C 21 July 2006 as received by Council on 27 July 2006;
  - Enlarged Drawing reference AEU403-U-DWG-104 REV A 21 July 2006 as received by Council on 27 July 2006;
  - Letter from Pentroth Pty Ltd to the Development Manager dated and received by Council on 16 November 2006 RE: Community Title Plan of Division at Point Boston (DA 932/C029/06);
  - Letter from Pentroth Pty Ltd to the Development Manager dated and received by Council on 16 November 2006 RE: DA 932/C029/06 – DAC Consultation Report;
  - Letter from Pentroth Pty Ltd to the Development Manager dated and received by Council on 6 December 2006 RE: Amended CFS Response Letters – DA 932/D028/06 & DA 932/C029/06;
  - Email from Mr John Culshaw to the Development Manager on 7 December 2006 at 2:15pm RE: Point Boston;
  - Letter from Pentroth Pty Ltd to the Development Manager dated and received by Council on 11 December 2006 RE: Point Boston – Open Space; and
  - Revised Comments from the Country Fire Service dated 4 December 2006 as received by Council on 8 December 2006 reference let4193gt7580brm.doc including attached Plan reference 06-049/BFI.

Except where the above documents are further amended by the following:

- 2 The Community Scheme Description is to be amended to the satisfaction of the Development Assessment Panel including but not limited to the following:
- The operation and maintenance of the Wastewater Treatment Plant and associated pipe network to EPA licensing requirements;
  - The operation and maintenance of the fire hydrant system to the satisfaction of the Country Fire Service Development Assessment Unit;
  - The operation and maintenance of the common water supply systems throughout the development and along Gun Club Road to the main pipeline along Lincoln Highway;
  - Maintaining the private road network at all times to the satisfaction of Council's Works Manager;
  - Maintaining and implementing a Fire Prevention Management Plan at all times to the satisfaction of the Country Fire Service Development Assessment Unit;

(continued)

PROVISIONAL DEVELOPMENT PLAN CONSENT: cont'd:

- The 'right-of-way' over the proposed private road from the junction with Gun Club Road at the south-west corner of Development Lot 3002 to the dead end road adjacent to proposed allotment 36 is not to be granted to the District Council of Lower Eyre Peninsula, instead the clause is to read the following:  
*'The General Public is to have unrestricted access to the coast via the private road from the junction with Gun Club Road at the south-west corner of Development Lot 3002 to the end of the dead end road adjacent to proposed allotment 36, the carpark and the walkway at all times.'*
- The maintenance of the walking trails throughout the coastal reserve adjacent to the development is to be the responsibility of the Community Corporation;
- The Land Management Action Plan is to be amended to include Bushfire Hazard Management to the satisfaction of the Country Fire Service Development Assessment Unit;
- The Design Guidelines are to be amended to include the following:
  - The Fire Water storage on individual allotments to the satisfaction of the Country Fire Service Development Assessment Unit;
  - The proposed building materials to the satisfaction of the Country Fire Service Development Assessment Unit; and
  - The proposed Building setbacks;

- 3 The main private spine road, carpark and walkway are to remain accessible to the general public for the purposes of public access to the coastal reserve.

LAND DIVISION CONSENT CONDITIONS:

- 1 The applicant shall at his / her expense, provide safe and convenient access, to the satisfaction of the Works Manager, from each allotment delineated on the Plan of Division to the carriageway of any existing or proposed public and private roads.
- 2 The applicant shall at his / her expense provide all necessary engineering survey, design drawings and specifications for the construction of all proposed public and private roads, footpaths, stormwater drainage systems and any other necessary works to the satisfaction of the Works Manager.

After approval of these drawings and specifications by the Works Manager, the work shall be carried out (by the applicant and at his / her expense) in accordance with these drawings and specifications to the satisfaction of the Works Manager.

All proposed public roads shown on the application are to be:

- a) Sealed to a minimum width of 7 metres; and
- b) 1.5 metre wide rubble shoulders.

All proposed private roads shown on the application are to be:

- a) Sealed to a minimum width of 6 metres; and
- b) 1.5 metre wide rubble shoulders.

- 3 The applicant shall provide all necessary engineering survey, design drawings and specifications for the construction of the waste water treatment plant and associated infrastructure required to connect each new allotment to the treatment plant.

After approval of these drawings and specifications by the Works Manager, the Department of Health and the Environment Protection Authority, the work shall be carried out (by the applicant and at his / her expense) in accordance with these drawings and specifications to the satisfaction of the Works Manager, the Department of Health and the Environment Protection Authority.

- 4 The applicant shall provide all necessary engineering survey, design drawings and specifications for the construction of a fire hydrant system, the required fire plugs and any other necessary works to the satisfaction of the Works Manager and the Country Fire Service Development Assessment Unit.

(continued)

LAND DIVISION CONSENT CONDITIONS: cont'd:

After approval of these drawings and specifications by the Works Manager and the Country Fire Service Development Assessment Unit, the work shall be carried out (by the applicant and at his / her expense) in accordance with these drawings and specifications to the satisfaction of the Works Manager and the Country Fire Service Development Assessment Unit.

- 5 A Construction Fire Management Plan is to be submitted to Council and approved by the Development Manager and the Country Fire Service Development Assessment Unit prior to commencement of works.
- 6 The applicant shall at his / her expense construct a 10 metre wide fuel reduced buffer zone in accordance with the CFS Plan (reference 06-046/BFI) the buffer zone is to incorporate a 4 metre wide access track suitable for safe and convenient access for Country Fire Service fire fighting units to the satisfaction of the Country Fire Service Development Assessment Unit.
- 7 The applicant is to enter into a binding agreement with Council to ensure that the Lincoln Highway / Gun Club Road junction and Gun Club Road are upgraded and sealed to the satisfaction of Council and the Department for Transport, Energy and Infrastructure.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

- 1 Two copies of a certified survey plan shall be lodged with the Development Assessment Commission for Certificate purposes.

Advisory Notes:

- 1 The Developer should seek approval from the Department of Environment and Heritage in relation to the establishment and long-term maintenance of walking trails on the coastal reserve.
- 2 The applicant should liaise with the Coast Protection Board on the location of the walking trails and paths within the Coastal Reserve shown on drawing number AEU403-U-DWG-104 dated 21/07/06 within the Land Division and Development Scheme report prepared by Pentroth Pty Ltd dated 24 July 2006.
- 3 An appropriate Soil Erosion and Drainage Management Plan (as described in the "Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government") which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (ie from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment should be developed and submitted to Council.  
  
Given the fact that stormwater can contain a wide range of pollutants (such as suspended solids, nutrients and oils etc) stormwater run-off from future roofs, carparks and other impermeable surfaces should be directed to large areas of vegetation, wetlands, or to natural or man-made fresh water features, rather than directly to any waterways or Council stormwater systems.
- 4 The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- 5 Any proposal to clear native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations to the Native Vegetation Act, requires the approval of the Native Vegetation Council
- 6 The Developer's attention is drawn to Council-Wide Principles 45, 46 and 47 of Council's Development Plan which relate to building heights affecting the OLS for the Port Lincoln Airport. Subsequently each individual development application on the subject land will be required to undergo an OLS assessment in accordance with the Development Plan requirements



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SCHEME DESCRIPTION  
Development No. 932/C029/06

REASONS FOR CONDITIONS: To ensure adequate compliance with the provisions of the Development Act, 1993.

NOTE: Section 44 (4) A person must not contravene, or fail to comply with a condition imposed under this division.

PENALTY - Division 3 Fine - 7 years Imprisonment/\$30,000.

SIGNED:  .....  
PETER AIRD  
CHIEF EXECUTIVE OFFICER

DATE: 14 December 2006

You may have a right of appeal if this notification is

a refusal, or  
a consent with conditions  
Such appeal must be lodged with the ERD Court  
The Environment Resources and Development Court  
Samuel Way Building  
Victoria Square  
GPO BOX 2465  
ADELAIDE 5001  
Phone No for General enquiries: 8204 0300

TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE

REASONS FOR CONDITIONS: To ensure adequate compliance with the provisions of the Development Act, 1993.  
NOTE: Section 44 (4) A person must not contravene, or fail to comply with a condition imposed under this division.  
PENALTY - Division 3 Fine - 7 years Imprisonment/\$30,000.

SIGNED:  .....  
PETER AIRD  
CHIEF EXECUTIVE OFFICER

DATE: 27 April 2007

You may have a right of appeal if this notification is

a refusal, or  
a consent with conditions  
Such appeal must be lodged with the ERD Court  
The Environment Resources and Development Court  
Samuel Way Building  
Victoria Square  
GPO BOX 2465  
ADELAIDE 5001  
Phone No for General enquiries: 8204 0300

TERMS OF INSTRUMENT NOT CHECKED BY LANDS TITLES OFFICE



DISTRICT COUNCIL OF LOWER EYRE PENINSULA

DECISION NOTIFICATION FORM

DEV. NO 932/C021/07

TO: Point Boston Pty Ltd, 67 Archer Street, North Adelaide SA 5006

LOCATION OF PROPOSED DEVELOPMENT:

Section 110 in HP 510700, Hundred of Louth

Nature of Proposed Development Land Division

From DISTRICT COUNCIL OF LOWER EYRE PENINSULA

In respect of this proposed development you are informed that

| Nature of Decision                   | Consent Granted | No. of Conditions | Consent Refused | Not Applicable |
|--------------------------------------|-----------------|-------------------|-----------------|----------------|
| Provisional Development Plan consent | Yes             | 2                 |                 |                |
| Land Division                        | Yes             | 6                 |                 |                |
| Development Assessment Commission    | Yes             | 1                 |                 |                |
| Environmental Protection Authority   | Yes             | 4                 |                 |                |
| Provisional Building Rules consent   |                 |                   |                 |                |
| Public Space                         |                 |                   |                 |                |
| Other                                |                 |                   |                 |                |
| <b>DEVELOPMENT APPROVAL</b>          | <b>GRANTED</b>  | <b>13</b>         |                 |                |

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification form, you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.

Date of Decision 1 February 2008

Signed   
LEITH BLACKER  
DEVELOPMENT MANAGER



## DISTRICT COUNCIL OF LOWER EYRE PENINSULA

### FOR ENQUIRIES:

#### HEAD OFFICE:

32 Railway Terrace, CUMMINS SA 5631  
Postal Address: Box 41, CUMMINS SA 5631  
Telephone: (08) 8676 2106 Fax: (08) 8676 2375

#### BRANCH OFFICE:

38 Washington Street, PT LINCOLN SA 5606  
Postal Address: Box 130, PT LINCOLN SA 5606  
Telephone: (08) 8682 1622 Fax: (08) 8683 0232

Refer LB C021/07

### PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS:

- 1 The application hereby approved shall be carried out in accordance with the following documents:
  - Amended Plan of Division prepared by PA Dansie & Associates Pty Ltd received by Council on 18 January 2008;
  - Stage 2 Land Division Application Letter dated 4 September 2007 from Point Boston Pty Ltd to Council as uploaded through the EDALA system on 6 September 2007;
  - Community Scheme Description as uploaded through the EDALA system on 6 September 2007;
  - Letter from Point Boston Pty Ltd to Council received by Council on 16 January 2008 responding to the Development Assessment Panel's queries from the 20 December 2007 meeting;

Except where the above documents are further amended by the following:

- 2 The Community Scheme Description is to include to the satisfaction of the Development Assessment Panel the following:
  - The operation and maintenance of the Wastewater Treatment Plant and associated pipe network to EPA Licensing requirements;
  - The operation and maintenance of the fire hydrant system to the satisfaction of the Country Fire Service Development Assessment Unit;
  - The operation and maintenance of the common water supply systems throughout the development and along Sullivan Drive to the main pipeline along Lincoln Highway;
  - Maintaining the private road network at all times to the satisfaction of Council's Works Manager;
  - Maintaining and implementing a Fire Prevention Management Plan at all times to the satisfaction of the Country Fire Service Development Assessment Unit;
  - The 'right-of-way' over the proposed private road network from the junction with Sullivan Drive to Development Lot 3004, along the perimeter private road around Development Lot 3004, all walkways from the private road network to the coast and the car parking areas opposite the walkway between lots 248 and 249 and opposite the walkway between lots 222 and 223.

This 'right-of-way' is NOT to be granted to the District Council of Lower Eyre Peninsula, instead the clause is to read the following:

'The General Public is to have unrestricted access to the coast via the private road from the junction with Sullivan Drive to Development Lot 3004, along the perimeter private road around Development Lot 3004, all walkways from the private road network to the coast and the car parking areas opposite each of the walkways at all times';

- The maintenance of the walking trails throughout the coastal reserve adjacent to the development is to be the responsibility of the Community Corporation;
- The Land Management Action Plan is to be amended to include Bushfire Hazard Management to the satisfaction of the Country Fire Service Development Assessment Unit; and

PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS: cont'd:

- The Design Guidelines are to be amended to include the following:
  - The Fire Water Storage on individual allotments to the satisfaction of the Country Fire Service Development Assessment Unit;
  - The proposed building materials to the satisfaction of the Country Fire Service Development Assessment Unit; and
  - The proposed building setbacks.
- Three carparking spaces are to be provided opposite each of the six walkways providing access to the coast and made available for use of the general public at all times.

LAND DIVISION CONSENT CONDITIONS:

- 1 The applicant shall at his / her expense provide safe and convenient access, to the satisfaction of the Works Manager, from each allotment delineated on the Plan of Division to the carriageway of any existing or proposed public and private roads.
- 2 The applicant shall at his / her expense provide all necessary engineering survey, design drawings and specifications for the construction of all proposed public and private roads, footpaths, stormwater drainage systems and any other necessary works to the satisfaction of the Works Manager.  
  
After approval of these drawings and specifications by the Works Manager, the work shall be carried out (by the applicant and at his / her expense) in accordance with these drawings and specifications to the satisfaction of the Works Manager.  
  
All proposed private roads shown on the application are to be:
  - a) Sealed to a minimum width of 6 metres; and
  - b) 1.5 metre wide rubble shoulders.
- 3 The applicant shall provide all necessary engineering survey, design drawings and specifications for the construction of the waste water treatment plant and associated infrastructure required to connect each new allotment to the treatment plant.  
  
After approval of these drawings and specifications by the Works Manager, Department of Health and the Environment Protection Authority, the work shall be carried out (by the applicant and at his / her expense) in accordance with these drawings and specifications to the satisfaction of the Works Manager, the Department of Health and the Environment Protection Authority.
- 4 The applicant shall provide all necessary engineering survey, design drawings and specifications for the construction of a fire hydrant system, the required fire plugs and any other necessary works to the satisfaction of the Works Manager and the Country Fire Service Development Assessment Unit.  
  
After approval of these drawings and specifications by the Works Manager and the Country Fire Service Development Assessment Unit, the work shall be carried out (by the applicant and at his / her expense) in accordance with these drawings and specifications to the satisfaction of the Works Manager and the Country Fire Service Development Assessment Unit.
- 5 A Construction Fire Management Plan is to be submitted to Council and approved by the Development Manager and the Country Fire Service Development Assessment Unit prior to commencement of works.

(continued)

LAND DIVISION CONSENT CONDITIONS: cont'd:

- 6 The applicant shall at his / her expense construct a 10 metre wide fuel reduced buffer zone in accordance with the Plan of Division, the buffer is to incorporate a 4 metre wide access track suitable for safe and convenient access for Country Fire Service fire fighting units to the satisfaction of the Country Fire Service Development Assessment Unit.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

- 1 Two copies of a certified survey plan shall be lodged for Certificate purposes.

ENVIRONMENT PROTECTION AUTHORITY CONDITIONS:

- 1 Wastewater and stormwater management is required during construction of the subdivision's infrastructure and for the future residential use of the land. Construction must be carried out in an environmentally sensitive manner to prevent environmental impact, including from nuisance.
- 2 An appropriate Soil Erosion and Drainage Management Plan (as described in the 'Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government') must be prepared and provided to the planning authority. It should include a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (ie from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment. Given the fact that stormwater can contain a wide range of pollutants (such as suspended solids, nutrients and oils, etc), stormwater runoff from future roofs, car parks and other impermeable surfaces should be directed to large areas of vegetation, wetlands, or to natural or man-made fresh water features, rather than directly to any waterways or Council stormwater systems.
- 3 An appropriate Construction Management Plan must be prepared, which addresses the mitigation or minimisation of impacts (especially from noise or dust) during the construction phase. Dust generated by machinery and vehicular movement during site works, and any open stockpiling of soil or building materials at the site, must be suppressed by regular application of a dust suppressant, to ensure that dust generation does not become a nuisance off site.
- 4 Provision of a common effluent, sewer system, or other suitable system which collects, treats to suitable levels and re-uses the treated wastewater in an environmentally acceptable manner is required to be provided and installed (for future dwelling connections) and must ensure that the Environment Protection (Water Quality) Policy 2003 is complied with. Such system must incorporate a centralised management regime to ensure the appropriate management / maintenance of the system.

Environment Protection Authority Advisory Notes:

- 1 The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- 2 All work and ongoing activities must also comply at all times with the Environment Protection (Water Quality) Policy 2003.
- 3 Site development machinery should generally not be operated outside the hours of 7am to 6pm daily.

Coast Protection Board Advisory Notes:

- 1 The applicant should liaise with the Coast Protection Board on the location of the walking trails and paths within the Coastal Reserve shown on the proposed Plan of Division and described within the associated Scheme Description report

TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE

Page 85 of 85

SCHEME DESCRIPTION  
Development No. 932/C029/06

General Advisory Notes:

- 1 The Developer should seek approval from the Department of Environment and Heritage in relation to the establishment and long-term maintenance of walking trails on the coastal reserve.

**REASONS FOR CONDITIONS:** To ensure adequate compliance with the provisions of the Development Act, 1993.

**NOTE:** Section 44 (4) A person must not contravene, or fail to comply with a condition imposed under this division.

**PENALTY -** Division 3 Fine - 7 years imprisonment/\$30,000.

SIGNED:   
LEITH BLACKER  
DEVELOPMENT MANAGER

DATE: 1 February 2008

You may have a right of appeal if this notification is

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a refusal, or  
a consent with conditions  
Such appeal must be lodged with the ERD Court  
The Environment Resources and Development Court  
Samuel Way Building  
Victoria Square  
GPO BOX 2465  
ADELAIDE 5001  
Phone No for General enquiries: 8204 0300