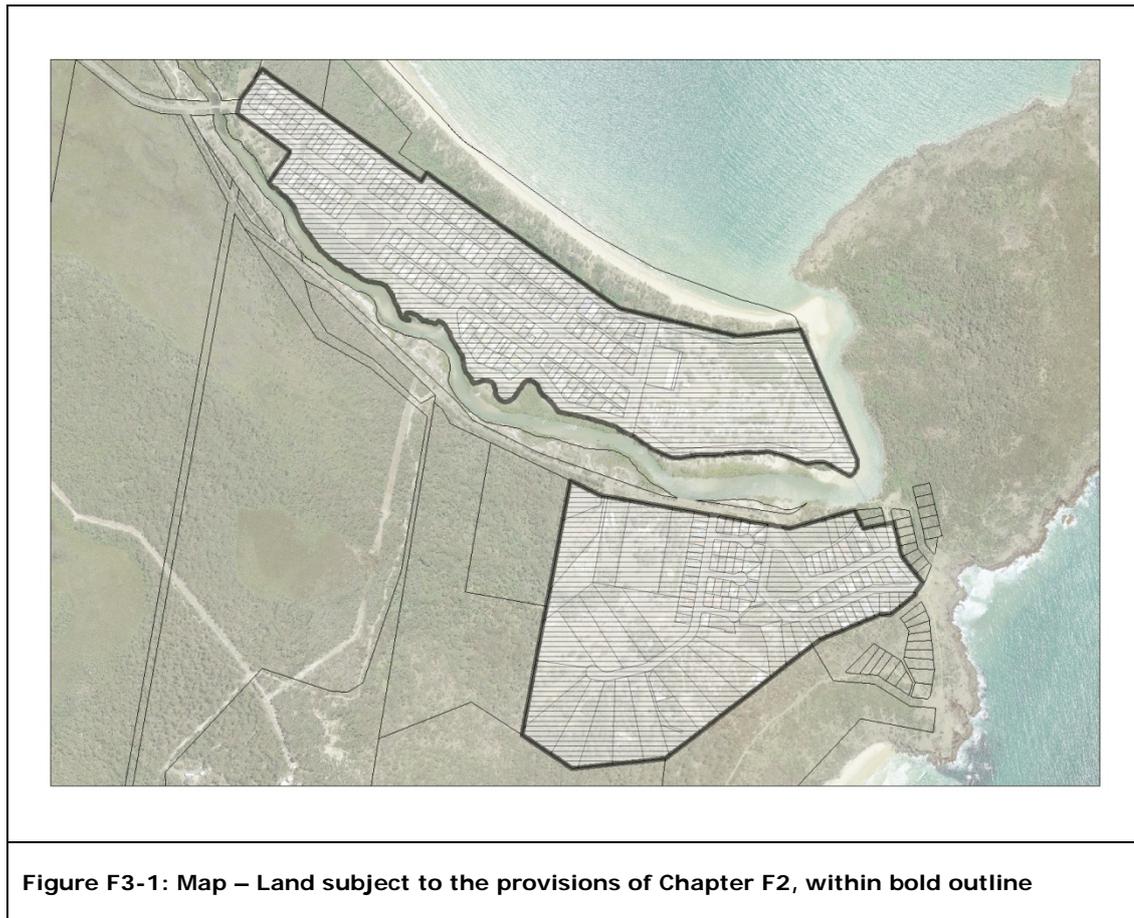


Chapter F2 – Hat Head

1.0 Introduction

1.1 Scope of this Chapter

This DCP Chapter applies to all development on land within the village of Hat Head zoned Zone RU5 – Village, as shown bounded by the bold line in the figure below.



This chapter is intended to apply to all proposals which are likely to generate an increased demand for sewerage and water services, including:

- a) Dual occupancy;
- b) Multi dwelling housing;
- c) Dwellings houses and additions;
- d) Hotel or motel accommodation;
- e) Shops;
- f) Commercial premises;
- g) Subdivision; and
- h) Tourist and visitor accommodation.

These terms are defined in Kempsey LEP 2013, except for “subdivision”, which is defined in the Glossary of this DCP.

1.2 Relationship with other Chapters of this DCP

The provisions of this chapter override the provisions of any other chapter of this DCP, to the extent of any inconsistency. Development applications will need to be assessed against the provisions of any other relevant chapter of this DCP, in addition to this chapter.

2.0 Chapter Objectives

The Objectives of this chapter are:

- a) To identify and preserve the important natural and man-made features which comprise the unique character of the village.
- b) To ensure that development is in keeping with the existing character of the village.
- c) To ensure that development does not exceed the capacity of the infrastructure and topographical constraints of the village.
- d) To encourage innovative building design and site usage in keeping with the existing character of the village.
- e) To protect Korogoro Creek from any adverse effects due to stormwater runoff.
- f) To minimise the amount of clearing required for development.

3.0 Background and Purpose of this Chapter

Hat Head is a unique coastal village characterized by low density single and two-storey development. The village experiences large seasonal fluctuations in population related to holiday-makers drawn to the village's natural features including beaches, headlands and creek.

Due to factors such as the scarcity of coastal land, demographic shifts in the general population and the advent of a sewerage system to service the village, pressures to permit further development are likely to increase substantially.

Having regard to the large seasonal fluctuations in the population and the fact that the system was primarily designed to cater for the needs of the existing village, there is a need to ensure that development potential generated by any excess capacity will proceed in an orderly manner without any diminution of the characteristics which make the village unique.

4.0 Development Requirements

4.1 Sewerage System and Water Supply

Background

In respect to infrastructure, the potential for Hat Head to support any additional development will be determined by the ability of the sewerage system to cope with peak demand periods and the adequacy of the village water supply.

There are two (2) main variables that will determine the capacity of the sewerage system to cater for any increased development: -

- The actual peak loading compared to the design capacity of the plant; and
- The performance of the dune disposal area to meet peak loadings as determined by on-going monitoring. The disposal area could become a limiting factor as there is no other area immediately available for disposal.

It is intended to constantly review the capacity of Council's water and sewerage systems having regard to the ongoing collection of data related to water usage and the performance of the dune disposal area, changing technologies and environmental performance standards.

Where capacity to cater for additional development is identified, the ability to provide an adequate water supply may also become a limiting factor for which a contingency should be made.

Council's Water Services Department will provide input into any development application to identify whether there is sufficient capacity within the existing water and sewerage infrastructure to service the development.

4.1.1 Water Supply

Desired Outcomes

DO1 - The estimated water consumption of the proposed development does not exceed the capacity of the Hat Head village water supply.

Development Requirements

- a) Development is to match the existing development pattern and contribute to a compact development pattern in order to:
 - Minimize servicing costs;
 - Minimize the need for additional clearing;
 - Maintain the existing character of the village; and
 - Ensure that any future expansion of the village will occur in an orderly and economic manner.
- b) The scale of development is to be generally restricted to:
 - (i) New dwellings on existing allotments;
 - (ii) Extensions to existing dwellings; and
 - (iii) Shops.

4.1.2 Sewerage Capacity

Desired Outcomes

DO1 - The sewerage requirements of the proposed development must not exceed the capacity of the Hat Head village sewerage infrastructure and the dune disposal area.

Development Requirements

- a) Development is to match the existing development pattern and contribute to a compact development pattern in order to:
 - (i) Minimize servicing costs;
 - (ii) Minimize the need for additional clearing;
 - (iii) Maintain the existing character of the village; and
 - (iv) Ensure that any future expansion of the village will occur in an orderly and economic manner.
- b) The scale of development is to be generally restricted to:
 - (i) New dwellings on existing allotments;
 - (ii) Extensions to existing dwellings; and
 - (iii) Shops.
- c) If the development is not one listed in Development Requirement (b), the Development Application must demonstrate that:
 - (i) There is no net increase in demand for existing sewerage infrastructure in the village of Hat Head; or
 - (ii) Effluent can be disposed of on site in accordance with the requirements of "AS/NZS 1547:2012 – On-site Domestic Wastewater Management".

4.2 Access

Desired Outcomes

DO1 - Vehicle access to individual properties is provided to service the needs of the development and minimize impacts on the local traffic network.

Development Requirements

- a) For developments involving subdivision or the erection of dual occupancy or multi dwelling housing, access should not be taken from minor access laneways, unless:
 - (i) The means of access is to the satisfaction of Council; or
 - (ii) Suitable arrangements are made to upgrade the means of access and the width of the laneway to the satisfaction of Council
- b) Where access is via a minor laneway, the setbacks to the laneway shall be sufficient to permit effective manoeuvring and to allow a vehicle to stand in front of the required covered parking area wholly within the land.

4.3 Residential Densities

The following requirements override similar requirements found in Chapter C1 – Residential Development – Urban Areas.

Desired Outcomes

- DO1 - The density of the development is to be compatible with the density of development within the village of Hat Head.
- DO2 - The scale of development is to be compatible with the low-density residential character of the area.
- DO3 - The provision of open space on property frontages, along the side boundaries and within the rear yard areas is to contribute to the open low-density character of the village of Hat Head.

Development Requirements

- a) Residential development shall not exceed the maximum density requirements or minimum landscaping requirements in the following table:

Table F2-1: Density and Landscaping Requirements		
Dwelling Size	Site Area (m ²)	Landscaped Area (m ²)
1 bedroom	300	100
2 bedroom	400	150
3 bedroom	500	200
4 bedroom +	100*	20*

*Per additional bedroom

4.4 Visual Impacts and Key Landscape Elements

Desired Outcomes

- DO1 - Development protects the scenic and environmental sustainability of the following key landscape elements in order to preserve the character of the village:
- Korogoro Creek, including its aquatic ecosystems and riparian and estuarine vegetation;
 - Hat Head Beach, including its natural backdrop;
 - Largely undeveloped upper slopes of O'Connors Hill;
 - Low residential densities;
 - Existing large native trees;
 - Lack of kerb and guttering;
 - Large undeveloped public reserve and camping area; and
 - Retention of existing dominant building forms.

Development Requirements

- a) Residential development is to be low density.

- b) All buildings north of Korogoro Creek are to be sited and designed so that no part of any building (including roof structures) will be visible when viewed from any part of Hat Head Beach. Where necessary, a plan prepared by a Registered Surveyor may need to be provided to demonstrate compliance.
- c) Buildings are not to be erected on the upper slopes of O'Connors Hill.
- d) Buildings and associated access driveways on the lower and mid slopes of O'Connors Hill must be sited and designed so as to minimize any visual impacts when viewed from the main village area or Hat Head Beach. Measures such as vegetative screening and low roof heights are to be employed to minimize the impact of buildings erected on the slopes of O'Connors Hill.
- e) Existing trees and other vegetation are to be preserved on the ridge of O'Connors Hill, so that no cleared areas are visible on the ridge line when viewed from the main village area or Hat Head Beach.
- f) Clearing on O'Connors Hill, including clearing to meet bushfire hazard reduction requirements, must not significantly reduce the existing tree and other vegetation cover when viewed from the main village area or Hat Head Beach.
- g) All existing large native trees within the Hat Head village area are to be identified and, where practicable, protected and preserved.
- h) Grassed swales, in lieu of kerb and guttering, are to be used for stormwater drainage in street reserves.
- i) Permanent immovable structures should not be erected within the public reserve and camping area.
- j) Buildings are to be designed to be compatible with the existing character of Hat Head village and utilize predominantly non-masonry external cladding.
- k) Buildings fronting Korogoro Creek must not result in unacceptable impacts on existing passive recreational activities within the creek and foreshore areas.

Note: A Visual Analysis of the proposed development will be required to be submitted with a Development Application to demonstrate compliance with the above development controls.

4.5 Stormwater Disposal

Desired Outcomes

DO1 - Development minimises the impacts of stormwater runoff on adjoining properties and receiving waterways.

Development Requirements

- a) Developments shall be designed so as to minimize the amount of hardstand areas required to provide driveways, parking and boat storage

areas, paved courtyards, etc.

- b) Where possible, access to developments should be via a single access point.
- c) New developments shall be designed so as to ensure runoff will not increase pre-development flow rates during a 1 in 5 year storm event in accordance with "Australian Rainfall and Run Off – 1987". All stormwater shall be collected and disposed of wholly on-site.
- d) Stormwater runoff from the development is to have no adverse environmental impact on water quality within adjacent estuaries.
- e) A description of the intended method of achieving this requirement shall be included with the plans for the required development application.
- f) Where it is proposed to satisfy this requirement by on-site storage in rainwater tanks, the means proposed to maintain the capacity of the system shall be provided, including a contingency for any overflows.
- g) Where an allotment contains existing buildings, provision shall be made to ensure that runoff from existing roof and hardstand areas are directed to the required disposal system.
- h) The design of the required disposal system shall have regard to the fact that Council does not intend providing or requiring the construction of any kerb and guttering.

4.6 Tree Retention

Desired Outcomes

DO1 - Development preserves existing large native trees, where practicable.

DO2 - Existing large native trees are only removed where the tree is in poor health or it is demonstrated that the removal of the tree will not have an adverse impact on the existing coastal village character of Hat Head village.

Development Requirements

- a) The plans submitted for all development applications for buildings or subdivision shall indicate the location of all trees located on the land or any trees which overhang the site, including a full description of the size and species of those trees.
- b) Trees that comprise a *key landscape element* (ie existing large native trees) shall not be removed.
- c) Any tree that does not comprise a *key landscape element* must not be removed unless it can be demonstrated that removal is justified having regard to a lack of any feasible design alternatives.
- d) A building shall not be erected within five (5) metres of any *tree*, whether or not a *key landscape element*, unless it is demonstrated that erection of the building is unlikely to require removal of any tree in the future.

- e) Where approval is granted for a development which authorizes tree removal, compensatory tree planting of trees with an equivalent scenic and environmental value is to be provided, either on site or on the adjoining road reserve.

5.0 Advice

- (a) A separate application and approval under Section 68 of the *Local Government Act 1993* may be required for increasing the capacity of onsite sewerage management systems.
- (b) Upgrading of the fire safety measures in the building may be required to achieve compliance with the Building Code of Australia.
- (c) Potential applicants are encouraged to discuss proposals with Council at the earliest opportunity when formulating proposals to assist in identifying Council's requirements and any site specific issues.
- (d) The vast majority of Hat Head Village is identified as Bushfire Prone Land and development should comply with the requirements of "Planning for Bushfire Protection 2006."