

Development Application Statement of Environmental Effects



76 Gap Road, Werris Creek

Residential Accommodation

Submitted to Liverpool Plains Shire Council
On Behalf of The MAC Services Group Pty Ltd

September 2013 ■ 13367

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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Liverpool Plains Shire Council (Council) in support of a Development Application (DA) for residential accommodation at 76 Gap Road, Werris Creek.

The DA seeks approval for:

- Site preparation and landscaping works;
- Construction of a residential accommodation facility for up to 1,512 studio units across ten stages ;
- Construction of recreational facilities including a tennis court, swimming pool, gymnasium, dining and kitchen areas;
- Provision of 1,134 car parking spaces, loading facilities and a bus pick up and set down area;
- Proposed future caravan/tourist park with 23 vehicle lots;
- Construction of all internal roads and augmentation of existing roads where required; and
- Construction of a Sewerage Treatment Plant and augmentation of existing service facilities where required.

The SEE has been prepared by JBA on behalf of The MAC Services Group Pty Ltd, and is based on the Architectural Drawings provided by ddc architects (see **Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

1.1.1 Previous Consent (DA 37/2011)

A DA for the construction of a 'Workforce Accommodation Facility' for 1,500 occupants (DA 37/2011) was approved by the Northern Joint Regional Planning Panel (JRPP) on 17 November 2011 following an assessment by Council.

This consent was then the subject of an appeal in the Land and Environment Court (LEC) on the basis that the approved innominate use should be classified as residential, and is therefore prohibited in the 1(b) General Agricultural Zone under the *Parry Local Environmental Plan 1987* (Parry LEP). This appeal was dismissed and the original consent upheld on 28 June 2012.

Subsequently, the LEC judgment was the subject of an appeal to the Court of Appeal, which, on 1 May 2013, over-turned the consent on the basis that the facility was characterised as a "residential building" and was a prohibited use in the 1(b) General Agricultural Zone, thereby resulting in the Order declaring that the development consent granted by the Northern JRPP is invalid and of no effect.

Whilst this appeal was underway, on 18 January 2013 the *Liverpool Plains Local Environmental Plan 2011* (Liverpool Plains LEP) came into force and repealed the Parry LEP. Under the Liverpool Plains LEP, the site is located in the R1 General Residential zone, and a wide range of residential uses are permitted with consent.

This new application has been prepared to seek consent for residential accommodation on the site, consistent with the R1 General Residential zoning.

1.1.2 The MAC Group

The MAC Services Group Pty Ltd (The MAC Group) is a provider of residential accommodation for employees in energy, resources and infrastructure industries. The MAC Group provides accommodation and associated facilities to a range of mining and resource employees in self-contained residential units, offering a balance of independence and support for this important workforce.

2.0 Site Analysis

2.1 Site Location and Context

The site is located at 76 Gap Road, Werris Creek approximately one kilometre from the intersection of Werris Creek Road and Gap Road. The site lies on the fringe of the township of Werris Creek, approximately 44 kilometres south west of the regional city of Tamworth. The site's locational context is shown at **Figure 1**.

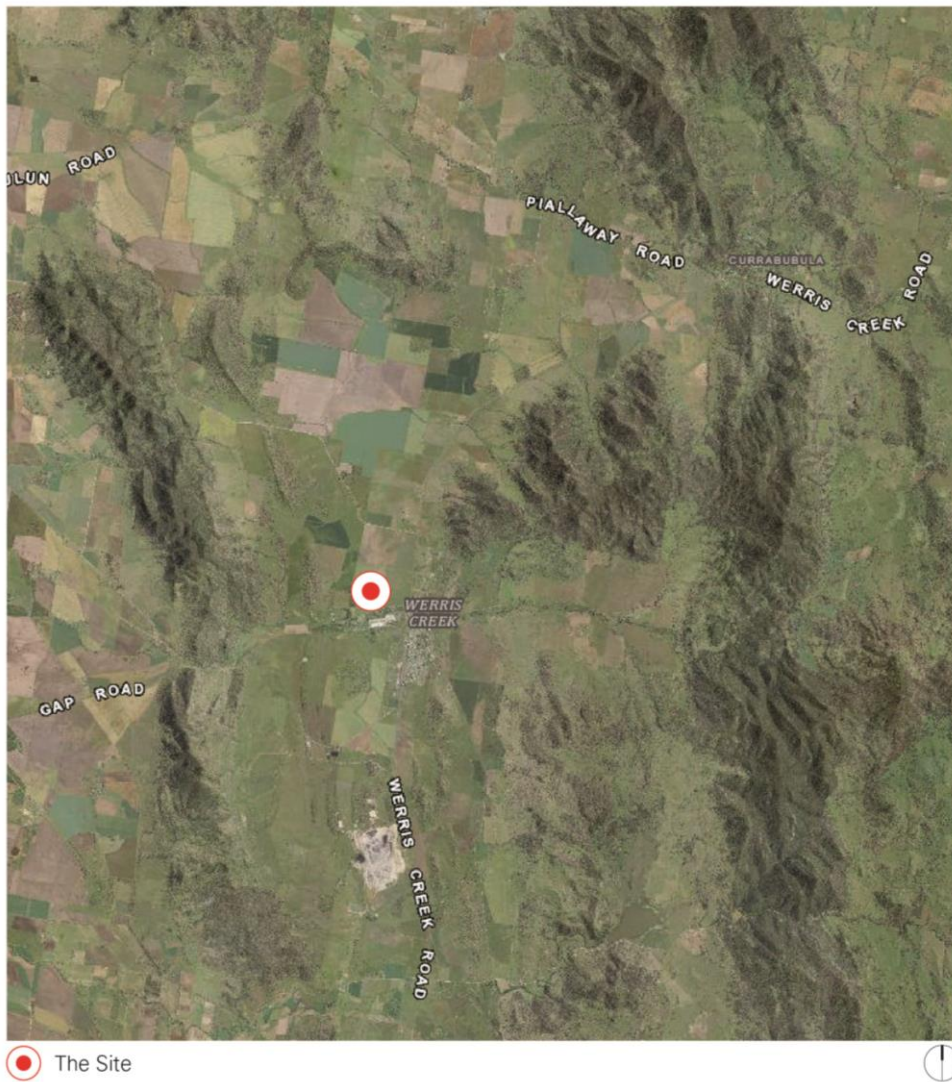


Figure 1 – Location plan

2.2 Site Description

The legal description of the site is Lot 112 in DP 611306 and it is owned by The Mac Services Group Pty Ltd. The site is irregular in shape and has an approximate area of 80.84 hectares. The site has a single street frontage to Gap Road of approximately 640 metres. An aerial photo of the site is shown at **Figure 2**.



Figure 2 – Site Plan

Existing Development

The site is generally cleared and covered by low lying grass, except for a stand of native trees in the south western corner of the site. No existing development is located on the site. **Figures 3 to 5** illustrate the current state of the site.



Figure 3 – View looking north along the western boundary of the site adjoining the existing sporting oval.



Figure 4 – View looking north along the eastern boundary of the site.



Figure 5 – View looking west along frontage of the site with Gap Road.

Topography

The site is not identified as flood prone and has a flat topography, with a slight slope of 1%. A site survey plan has been prepared by Bath Stewart Associates and is provided within the set of architectural plans contained at **Appendix A**.

Vegetation / Flora and Fauna

The existing flora and fauna conditions of the site are discussed in detail in the Flora and Fauna Assessment prepared by Mitchel Hanlon Consulting Pty Ltd (**Appendix B**). This report is supplemented by Koala Habitat Assessment prepared by ecological Australia Pty Ltd (**Appendix C**).

A total of 68 flora species were identified on the site during a survey. The open grassland on the project site contains eleven sparse mature paddock trees (Rough-barked Apple, Blakely's Red Gum and Yellow Box). Three mature trees exist in the proposed development footprint (Rough-barked Apple and Blakely's Red Gum). The floral assemblage of the remnant vegetation patch is reflective of "White - Box - Yellow Box - Blakely's Red Gum Grassy Woodland Ecological Community" is listed as Endangered under the *Threatened Species Conservation Act* (TSC Act) and Critically Endangered under the *Environmental Protection and Biodiversity Conservation Act* (EPBC Act).

The environmental investigations have also identified fifty (50) fauna species that occupy the site. A total of 47 bird species and three mammals were observed, including a high abundance of nomadic nectar-feeding birds. Importantly, the Little Lorikeet (*Glossopsitta pusilla*) was observed during the opportunistic survey, which is listed as Vulnerable under the TSC Act.

Heritage and Archaeology

No part of the site is identified as having any heritage significance under the Liverpool Plains LEP. No items of heritage significance listed in the Liverpool Plains LEP adjoin the site.

Access

The site has a primary frontage to Gap Road and two existing vehicular entry points. Pedestrian access to the site is regulated through a boundary fence around the perimeter of the site. An existing pedestrian pathway is located along Gap Road providing access for pedestrian to the Werris Creek township.



Figure 6 – Existing access gate provided to the site.

Soil and Geotechnical Conditions

The geotechnical conditions of the site are described in detail in the Geotechnical Report prepared by Coffey Geotechnics (**Appendix D**). The conditions on the site range from topsoil (sandy silt) to alluvial soils (clay) and then alluvial gravel (gravel).

Utilities and Infrastructure

The site is not currently connected to any utility services. Power and telephone services are located along Gap Road. The Werris Creek water supply system is operated by Liverpool Plains Shire Council (LPSC) and the network currently extends to the Werris Creek Golf Course to the south of the site.

2.3 Surrounding Development

As discussed in **Section 2.1**, the site is situated on the fringe of the Werris Creek township. The site is located amongst a diverse range of low scale uses, from recreational to agricultural.

Adjoining the site to the north is privately owned agricultural land which is used primarily for grazing and other associated agricultural uses. To the east of the site is a vacant parcel of land under the ownership of Council. This site is cleared with low lying grass coverage and two street frontages to both Gap Road and Werris Creek Road respectively.

On the opposite side of Gap Road to the south is the Werris Creek Golf Club, consisting of a nine hole golf course, clubhouse and bar. Further to the south is a grain loading facility operated by GrainCorp. Immediately adjoining the site to the

west is a sports oval and associated amenities buildings under Council ownership. **Figures 7 to 9** illustrate the surrounding development.

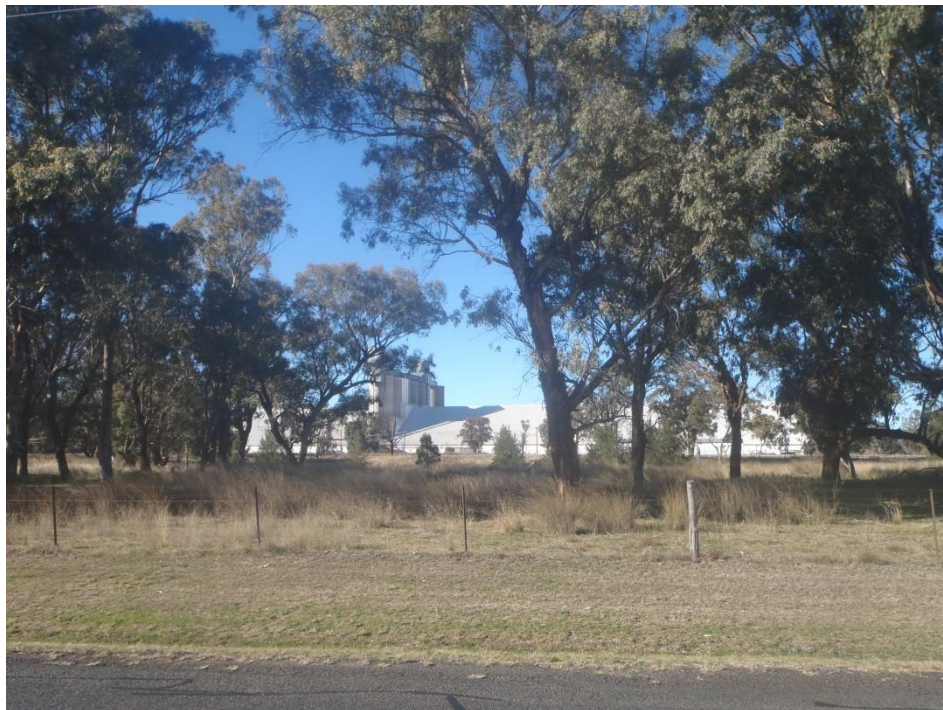


Figure 7 – GrainCorp facility to the south.



Figure 8 – Werris Creek Golf Club to the south.



Figure 9 – Sporting oval to the west.

3.0 Description of Proposed Development

This chapter of the report provides a detailed description of the proposed development. Architectural drawings prepared by ddc architects are included at **Appendix A**.

This application seeks approval for the following development:

- Site preparation and landscaping works;
- Construction of a residential accommodation facility for up to 1,512 studio units across ten stages precincts; Construction of communal recreational facilities including a tennis court, swimming pool, gymnasium, dining and kitchen areas;
- Provision of up to 1,104 car parking spaces, loading facilities and a bus pick up and set down area;
- Proposed future caravan/tourist park with 23 vehicle lots;
- Construction of all internal roads and augmentation of existing roads where required; and
- Construction of a Sewerage Treatment Plant and augmentation of existing service facilities where required.

3.1 Site Preparation Works

The proposal only applies to a small portion of the overall site. Minor earthworks are generally required in relation to preparing and levelling the site for construction. Roads and services works are also proposed, with minor earthworks required for the construction of internal road, installation of services and foundations.

3.2 Residential Accommodation

The development comprises ten residential stages continuing up to 1,512 studio units each provided with a bathroom ensuite and small external deck. The individual units, form building blocks generally of 12 units assembled together into groups of three (i.e. 36 unit blocks) and will each have an internal floor area of approximately 16m². Units will include sleeping and bathroom facilities, with recreational buildings and open space areas located strategically to service the future occupants. A typical unit and facilities layout is illustrated by **Figure 10**.

The residential population will comprise of approximately 90% shift workers with the remaining 10% being staff of The MAC Group who will manage and maintain the proposed accommodation facility.

The proposed development will also include eight (8) accessible units located directly to the north-east of the Central Precinct in stage 3.

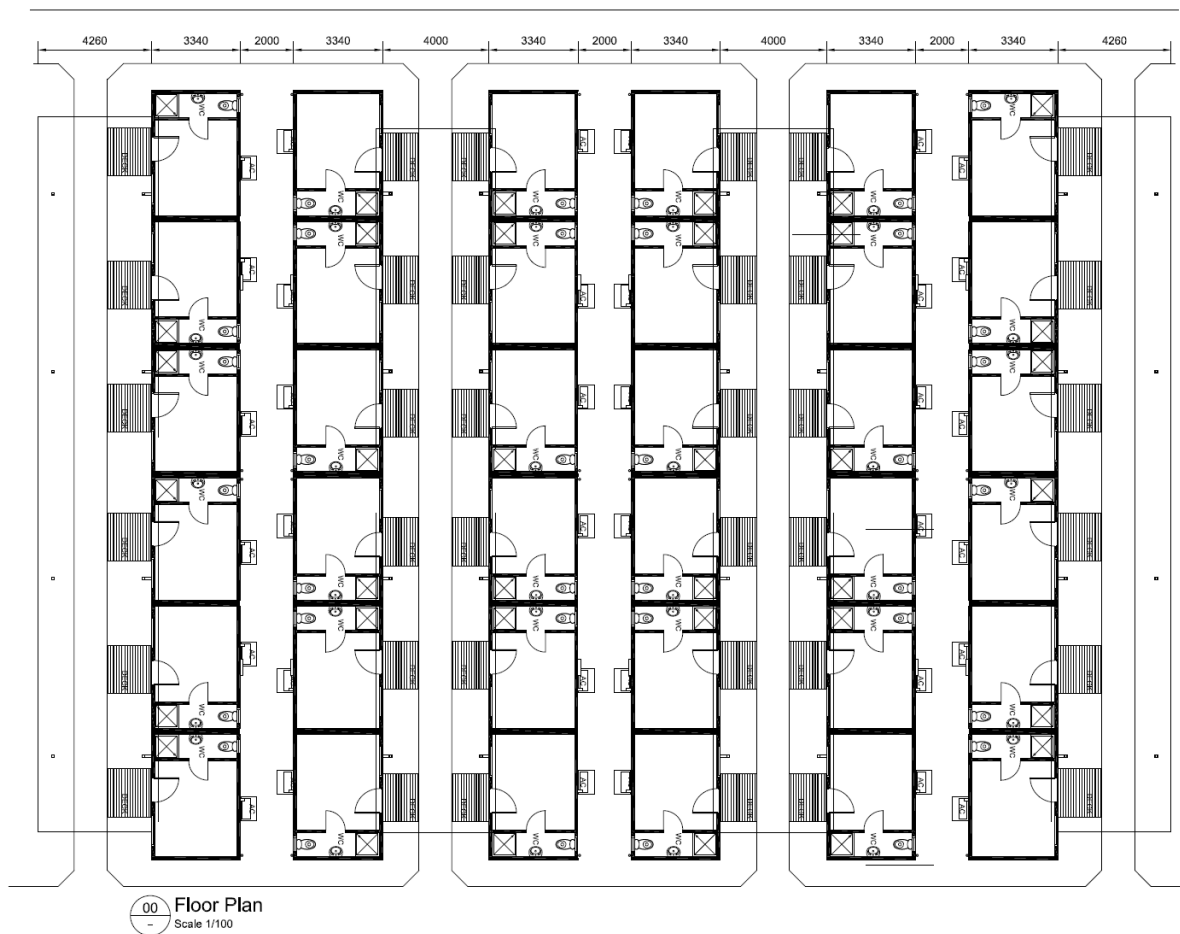


Figure 10 – Typical floor layout for residential accommodation

3.3 Communal Facilities

The residents of the proposed accommodation facility are provided with a range of communal facilities including dining areas, laundries and recreation facilities. In this regard, each of the residential precincts are provided with small open space areas and shared facilities conveniently located close to each accommodation block. More broadly, the entire residential accommodation facility is to be built around a Central Precinct that will contain the following facilities:

- Commercial kitchen and dining hall with seating for up to 380 people;
- Covered outdoor recreation area and Common Green;
- Guest services and administration building (including The MAC Group staff area);
- Multipurpose ball courts and gymnasium; and
- Training and recreation hall.

The proposed layout of the communal facilities are illustrated by Figure 11.

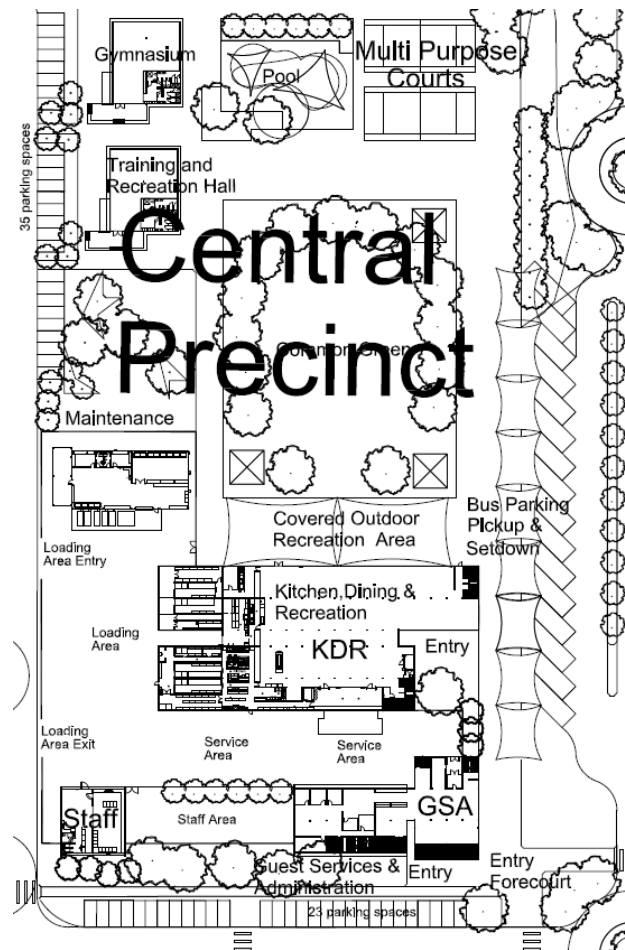


Figure 11 – Central Precinct communal facilities

3.4 Caravan Park

Also proposed as part of the development are a total of 23 caravan parking lots to provide accommodation for passing travellers. The Caravan Precinct of the proposal will be located in the south western corner of the village, and will be divided into two sub-precincts. Each of the two smaller precincts will be provided with a small recreation pavilion, whilst a shared amenities building and laundry will service the overall Caravan Precinct.

The layout of the proposed Caravan Precinct is illustrated by **Figure 12**.

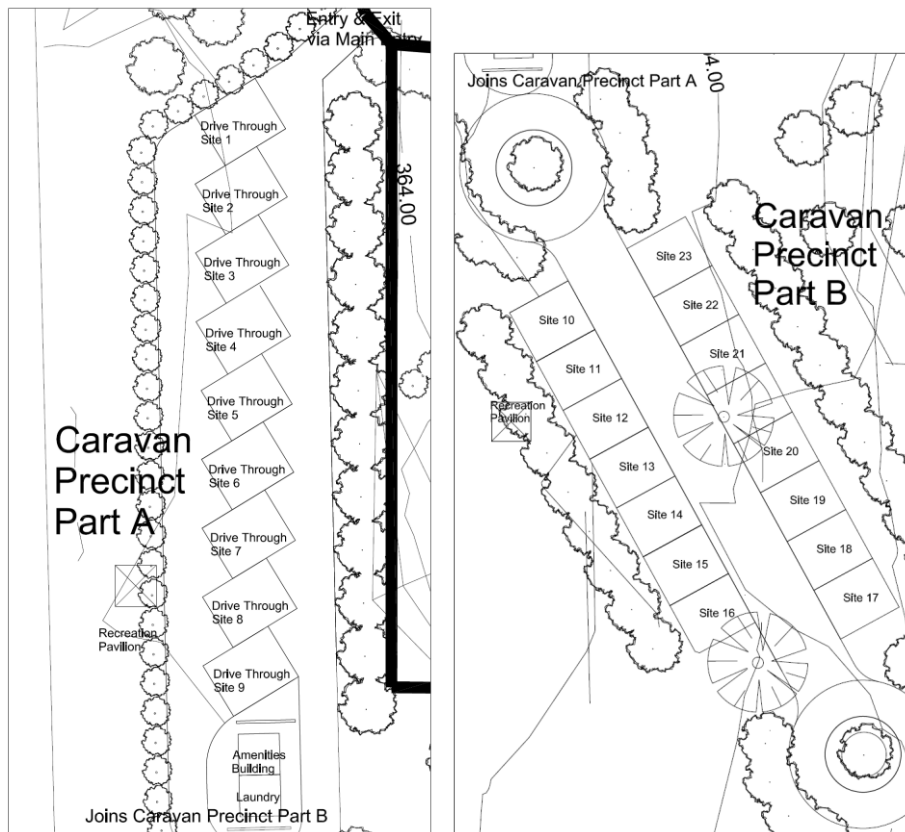


Figure 12 – Proposed Caravan Park Precincts

3.5 Landscaping and Public Domain

Nicholas Bray Landscapes has been engaged to prepare a Landscape Plan for the proposed development (see **Appendix E**). A series of landscaped mounds will be erected along the Gap Road frontage to reduce the development's visual impact and to maintain the character of the surrounding area. These will be supplemented by clumps of native trees to be located between the property boundary and Gap Road to act as windbreaks, as well as clumps being planted adjacent to the eastern and western boundary in order to screen the proposal from adjoining properties and to improve the overall amenity of the proposed development.

The facility includes the retention of mature native trees where possible, with proposed avenue planting along the main entrance road and localised planting within the each of the precincts. Native tree and shrub planting along will be introduced to enhance the microclimate of the proposed development and to provide screening between the different elements of the development.

The Landscape Plan prepared by Nicholas Bray Landscapes provides an indicative species planting list and includes typical planting details for each precinct and the proposed central facilities. The proposed landscaping for a typical accommodation precinct and the Central Precinct are illustrated by **Figures 13 and 14**.



Figure 13 – Landscape Plan for typical accommodation precinct



Figure 14 – Landscape Plan for Central Precinct

3.6 Access and Parking

Vehicular Access

Vehicular access to the site is via a main entrance/exit spine road to the facility provided with an intersection and separate turning lanes to be provided on The Gap Road frontage. Two internal ring roads are also proposed with roundabout and pedestrian crossing facilities.

Pedestrian Access

Pedestrian access is provided internally throughout the site via pathways along the proposed road and between the residential units within each precinct. Pathways to the recreational buildings will also be provided within the site. Importantly, a pathway along the main access road will link to an existing pathway/cycleway outside the site which provides access directly to Werris Creek.

Parking and Loading Facilities

The proposed development includes provision for up to 1,134 car parking spaces, located in close walking distance to residential and recreational areas. Visitor and staff car parking facilities are included in the proposal, along with loading dock, motorhome and bus set down and pickup areas.

The access, parking and traffic generation associated with the proposed development have been considered in more detail in the Traffic Assessment Report prepared by TPK and Associates contained in **Appendix F**.

3.7 Water Cycle Management

The water supply to the proposed development will be via combination of methods including Council water supply system, collection and storage of rain water and recycling systems. A trickle feed potable water supply system will be further investigated for the site to provide additional top up supply for additional demand. A wet weather holding pond is proposed on the southern side of the site. Further details can be found in the sewage and stormwater investigations undertaken by Woodlots and Wetlands Pty Ltd on behalf of the proponent (see **Appendix G**). This report should be read in conjunction with the Hunter Water Australia Sewage Treatment Plant capacity assessment (see **Section 3.6** below)

In addition, Woodlots and Wetlands Pty Ltd were engaged to investigate the treatment of stormwater proposed as part of the development (see **Appendix G**). The report concludes that stormwater runoff from both drainage catchments in the development can be adequately treated via a combination of a vegetated infiltration basin and swales. The swale can be used to convey the remaining, treated stormwater towards natural drainage lines at flow rates that should not cause increased erosion. The approach adopted is intended to be consistent with the Liverpool Plains Shire Council Stormwater Management Plan objectives and its Integrated Water Cycle Management Strategy.

3.8 Infrastructure and Services

Water

Hunter Water Australia has undertaken a Water Supply Investigation (**Appendix H**). A number of servicing options were considered to reduce impacts on the existing water supply system to ensure adequate capacity to meet peak day demands and fire fighting requirements. The preferred option is to duplicate the trunk mains connecting directly to the town supply, which ensures redundancy and negates the requirement for additional energy intensive pumping onsite.

Sewer

Hunter Water Australia has been engaged to prepare a capacity assessment that identifies the impact of the additional flows on Werris Creek Sewage Treatment Plant (STP) and the necessary upgrades to cater for the additional flow resulting from the proposed development (**Appendix I**).

The preferred option for the development proposes an onsite gravity fed sewerage collection system with sewerage treatment to be conducted at the existing Werris Creek STP. A gravity fed sewerage collection system is preferred for the site due to low maintenance and risk of breakdown. The collection system and internal reticulation mains will be owned and maintained by the MAC Group.

In addition, MM Hyndes Bailey and Co has investigated delivery of sewerage to the Werris Creek Treatment Plant and return of treated waste water to the site for landscaping reuse and irrigation (see **Appendix J**). This report concludes that the preferred method is to gravity drain sewerage from the units to a Sewer Pump Station where it will be transported to the Werris Creek STP. Treated water will be return pumped to a wet weather storage area on the site and then used for irrigation purposes eliminating any additional treated water being discharged downstream from the Werris Creek STP.

Accordingly, all sewerage from the units, laundries, kitchens and other service buildings will be gravity fed to a Sewer Pump Station on the north west of the site. The Sewer Pump Station, to be owned by the Liverpool Plains Shire Council after construction, will deliver the untreated sewer to the Werris Creek STP and return (once treated) recycled water to the MAC site wet weather holding pond on the southern side of the site. Recycled water is to be used for landscaping purposes with additional water irrigated out onto the site via a 20ha pivot irrigator.

See **Appendices I and J** for further details.

Power

Existing electrical infrastructure is provided to the site via Gap Road. The extension and augmentation of the existing facilities will be addressed at the detailed design stage prior to the relevant Construction Certificate.

3.9 Waste Management

Refuse storage areas will be provided centrally throughout the facility with staff being responsible for collection and disposal on site. It is intended to utilise the existing Council-run waste service to provide waste collection services to the proposed facility. Where these services are not adequate, the proponent will arrange for a licensed waste contractor to collect and dispose of all waste. Negotiations with Council are intended to be considered during the detailed design stage prior to the relevant Construction Certificate.

3.10 Development and Construction Staging

The proposal is intended to be delivered in a number of stages to ensure that demand is satisfied in an orderly and efficient manner. It is intended that the stages of the proposal will reflect the different precincts, with the initial stage comprising the site preparation works including the road works and landscaping.

Each proposed stage within the development will contain the following accommodation units and parking spaces:

- Stage 1 – 144 rooms, 177 parking spaces and the Central Precinct;
- Stage 2 – 216 rooms and 356 parking spaces;

- Stage 3 – 144 rooms and 165 parking spaces;
- Stage 4 – 108 rooms and 40 parking spaces;
- Stage 5 – 144 rooms and 240 car parking spaces;
- Stage 6 – 180 rooms and 55 parking spaces;
- Stage 7 – 144 rooms and 35 parking spaces;
- Stage 8 – 144 rooms and 36 parking spaces;
- Stage 9 – 144 rooms and 0 parking spaces;
- Stage 10 – 144 rooms and 30 parking spaces.

In order to allow for the staging of the development, approval is sought under this DA to allow separate construction certificates to be issued for each of the precincts.

The proposed Staging Plan is depicted by **Figure 15**.

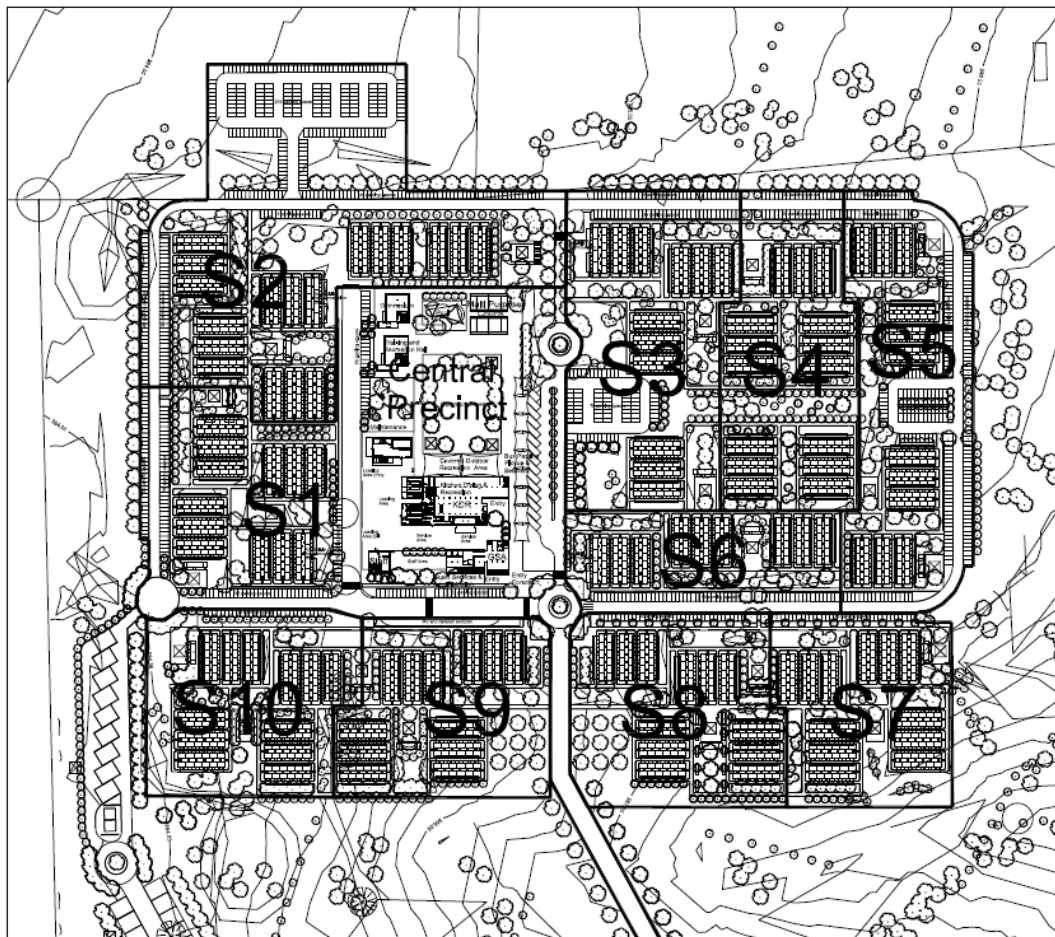


Figure 15 – Proposed Staging Plan

4.0 Assessment of Planning Issues

This chapter contains our assessment of the environmental effects of the proposed development as described in the preceding chapters of this report.

Under Section 79C(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The assessment includes only those matters under Section 79C(1) that are relevant to the proposal. The planning issues associated with the proposed development are discussed below.

4.1 Compliance with Relevant Strategic and Statutory Plans and Policies

The following legislation, strategies and planning instruments, which are relevant to the proposed development to be addressed:

- State Environment Planning Policy No. 21 – Caravan Parks;
- State Environment Planning Policy No. 44 – Koala Habitat Protection;
- State Environment Planning Policy (Infrastructure) 2007;
- Liverpool Plains Local Environmental Plan 2011; and
- Liverpool Plains Development Control Plan 2012.

The DA's consistency and compliance with the relevant strategic and statutory plans and policies is located in **Table 2** below. Variations to, and non-compliance with, the key standards and guidelines highlighted in the table are discussed in detail in the following sections of this environmental assessment.

Table 1 – Summary of consistency with key statutory plans and policies

Instrument/Strategy	Comments
State Planning Instruments and Controls	
SEPP 55	The Phase 1 Environmental Site Assessment prepared for the site (see Appendix K) demonstrates the site is suitable for the proposed development.
SEPP No 21 Caravan Parks	Consent is sought for a total of 23 caravan sites for short stay accommodation. The proposal is consistent with the matters for consideration in Clause 10 SEPP 21 in that: <ul style="list-style-type: none"> – the site is suitable for use as a caravan park for tourists; – the proposal will satisfy a need for tourist accommodation in the locality; and – the proposal includes a range of community facilities and services for use by guests.
SEPP No 44 Koala Habitat Protection	Ecological Australia has undertaken a koala habitat assessment (see Appendix C) to determine the potential impacts of development within the building envelope upon koalas and their habitat to meet the statutory requirements of State Environment Planning Policy No. 44 (Koala Habitat Protection). The consistency of the proposal with the relevant provisions of SEPP 44 are addressed in Section 4.9 below.

Instrument/Strategy	Comments
SEPP (Infrastructure) 2007	<p>The proposed development is also deemed to be 'Traffic Generating' development under Part 3 Clause 104 of the SEPP (Infrastructure) 2007 as it seeks approval for more than 300 accommodation units and has access to a road. The application therefore must be referred to Roads and Maritime Services (RMS).</p> <p>A Traffic Assessment has been undertaken in relation to the proposed development (see Appendix F) which identifies that the increase in traffic generation as a result of the proposed development will not have an adverse impact on the road network in terms of route or intersection capacity.</p>
Local Planning Instruments and Controls	
Liverpool Plains Local Environmental Plan 2011	The site is located within the R1 General Residential and the proposed development is permissible with consent. The consistency of the proposal with the Liverpool Plains LEP is discussed in Section 4.2 below.
Liverpool Plains Development Control Plan 2012	The proposal is generally consistent with the provisions of the Liverpool Plains DCP. Minor variations to the DCP are discussed in Section 4.3 below.

4.2 Liverpool Plains Local Environmental Plan 2011

The Liverpool Plains LEP is the principal Environmental Planning Instrument which applies to the land. As discussed in Section 1.1, the Court of Appeal found that the that the facility was best characterised as a "residential building" and was a prohibited use in the 1(b) General Agricultural Zone as prescribed by the Parry LEP 1987. Accordingly, under the current LEP, the proposal is considered to be defined as "**residential accommodation**", which means:

a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

In light of the Court of Appeal's decision that the accommodation is not "temporary", the proposal cannot be considered "temporary workers accommodation", therefore clause 7.8 of the Liverpool Plains LEP does not apply.

As the proposal also includes a minor component for the site which is to be used for short-term tourist accommodation with 23 caravan lots and associated facilities, the proposal is also defined as a “**caravan park**”, which means:

land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

The site is zoned R1 General Residential under the Liverpool Plains LEP and the proposed uses are permissible with consent. The objectives of the R1 General Residential Zone are listed as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To permit other development that is compatible with the surrounding residential environment and that is unlikely to adversely affect the amenity of residential development within the zone.*

The proposed use of the site for “residential accommodation” and a “caravan park” is consistent with the objectives of the R1 General Residential Zone in that:

- The proposal provides housing to meet the needs of the community;
- The proposal incorporates a smaller format of housing and caravan park accommodation;
- A range of communal, recreational and service facilities are proposed to cater to the day to day needs of residents; and
- The proposal will not result in any adverse impacts to the amenity of surrounding residential development.

A detailed Compliance Table illustrating the proposal’s consistency with the Liverpool Plains LEP has been prepared by JBA and is provided at **Appendix J**.

4.3 Liverpool Plains Development Control Plan 2012

The Liverpool Plains Development Control Plan 2012 (Liverpool Plains DCP) supports the Liverpool Plains LEP, providing more detailed design controls and guidance for all development. The proposal is generally consistent with the relevant provisions of the Liverpool Plains DCP, as illustrated in the Compliance Table at **Appendix L**.

It is noted that the *Environmental Planning and Assessment Act 1979* was recently amended to include Section 74BA regarding the purpose and status of DCPs whereby the principal purpose of a development control plan is to provide guidance to the persons proposing to carry out development and that the provisions of a development control plan made for that purpose are not statutory requirements. Accordingly, whilst the proposal does not comply fully with all provisions of the Liverpool Plains DCP, this document has been used as a guide to assist in the preparation and assessment of the proposed development.

Minor variations proposed to the provisions of the Liverpool Plains DCP are addressed below.

Off-street Parking

Clause 3.3.5 of the DCP, parking controls for residential multi-dwelling development, provide that 1 space per 1 bed unit is to be provided in addition a minimum of 1 space per 5 dwellings being provided as visitor parking. This would equate to a total parking provision in the order of 1,800+ spaces.

The proposed development will provide 1,134 parking spaces to cater for residents and staff that live on site, giving a ratio of 0.75 spaces per accommodation unit. Parking spaces have been provided in accordance with the Traffic Assessment prepared by TPK (**Appendix F**). The traffic assessment has identified that MAC accommodation villages of a similar size and scale in Narrabri and Muswellbrook councils provide a parking rate of 1 space per 2 units on the basis that workers accommodation often attracts workers who commute to the facility by train, bus or flight and generally require only services and facilities provided on site. Additionally, a bus service is proposed for residents to travel to the work site at the various mines to be serviced by the proposed development.

Accordingly, the proposed parking rate is considered acceptable in this instance.

Storage

The DCP requires a minimum of 5m³ dedicated storage area per dwelling. Currently, no internal built in wardrobes or cupboards are proposed, however the units have been designed to accommodate single beds with space for sufficient furniture fit out to be addressed at the detailed design stage.

Compliance with storage provisions of the DCP is considered unreasonable and unnecessary as the nature of workers accommodation doesn't allow for residents to store personal items in any of the dwellings units when they are not residing in the complex. There will be adequate space within the units, as well as covered deck areas, to provide sufficient space for private storage needs whilst the units are occupied. Communal storage space is also provided in the multipurpose and recreation buildings.

Private Open Space

The DCP requires the provision of private open space ranging in size from 35m² to 60m² dependent on its orientation relative to the dwelling unit. However, large private open space areas are not proposed within the residential units given the temporary nature of the accommodation. Public recreation and open space areas are ample throughout the proposal with the central precinct providing a common grassed area, sporting facilities, covered outdoor dining and recreation areas.

Adaptability

DCP clause 3.3.12 requires that 1 in 5 units are to be capable for conversion into adaptable housing in accordance with Australian Standards. Due to the temporary nature of the facility as workers accommodation, no adaptable units are proposed in this application.

Landscaping

Landscaping elements are provided in the Landscape Plan (see **Appendix E**) with detailed landscaping provisions to be investigated during the detailed design stage. Clause 3.3.14 of the DCP requires a minimum 100m² of landscaping area to be provided per dwelling. Due to the large scale nature of the proposal, strict compliance with this control is unreasonable as the landscaped area would be unfeasibly large and would encroach on the reserved native backdrop. Proposed vegetation, as outlined in the landscape plan, will serve as a multi-purpose screen whilst providing shade and security. A mix of 'hardy' plant types is proposed to improve the amenity of the site.

Environmental Effects

The proposed development is expected to have minimal environmental impact due to its rural setting, flat terrain and sustainability provisions. The potential environmental impacts outlined in clause 4.2.1 will be addressed and documented where appropriate prior to the relevant construction certificate stage.

Facilities

Clause 3.3.15 of the DCP requires screened garbage storage areas inside the front property boundary, at the rear of each unit or within garages. In this instance, centralised garbage storage areas will be provided throughout the proposed development with final details being available prior to the issue relevant Construction Certificate for each stage of the development to be completed.

Fencing

The design of fencing provisions are intended to be addressed in accordance with clauses 3.1.8 and 3.3.13 the DCP in the detailed landscape design stage and prior to the issue of relevant Construction Certificate.

Temporary Accommodation (during dwelling construction)

Clause 3.1.9 of the DCP prescribes that temporary accommodation for construction workers is not permitted within the R1 General Residential Zone. However, the scale of the proposed development and the relative isolation of the site will require temporary construction workers' accommodation to be provided on the site during construction . . .

4.4 Site Contamination

A Geotechnical report prepared by Coffey Geotechnics (**Appendix D**) includes a preliminary investigation into the site's soil condition and risk of contamination. The site is well vegetated, mostly with pasture grass and scattered stands of trees on the site perimeters and is currently used as farmland and cattle grazing. The Geotechnical study observed no fill on the site, eliminating the chance of wide spread undetermined soil conditions. No Acid Sulfate risk map exists for the area, indicating that the site is located in an area with no probable Acid Sulfate soils.

As part of the investigation five test pit excavations were conducted across the site, with the pit locations selected by an engineer to reflect building works and an even sample across the site. Screen tests and laboratory analysis on the excavated samples confirmed that none of the soil samples exceeded the Acid Sulfate Soil Management Advisory Committee action criteria for further laboratory testing. Following these results, the preparation of an Acid Sulfate Soil management plan for works was not considered necessary and the site is currently considered satisfactory for the proposed development.

4.5 Visual Impact

The proposed residential accommodation is of a low scale, with the majority of buildings at a height of a single storey. The site is located on the fringe of the Werris Creek township which is also characterised by low scale development. The layout of the residential accommodation is also optimal, with a circular ring road providing easy access into each precinct and to the common recreational buildings.

The layout of buildings within the site has also been well considered to ensure that no visual impacts occur to surrounding sites. The larger recreational buildings have been located internal to the lower scale housing units. This increases the distance between the large buildings when viewed from outside the site, and also adds

variety to the streetscape with the lower scale units providing a step to the boundary of the new residential accommodation.

Scattered tree planting around the site, mounding and street tree planting in close proximity to the proposed buildings will also aid in screening the proposal from outside the site.

4.6 Transport and Accessibility

A Traffic Assessment Report has been prepared by TPK and Associates Pty Ltd to establish the capacity of the surrounding road network and assess the traffic generation of the proposal (**Appendix F**).

Traffic Generation

The expected traffic generation from the proposal has been identified by TPK with the morning and afternoon peak periods of traffic movements identified at the access point to the site and at the intersection of Gap Road and Werris Creek Road. Based on an assessment against the relevant provisions, the relevant intersections are considered by TPK to be capable of continuing to operate at an acceptable level.

TPK has recommended that edge pavement consolidation occur along Gap Road and that new line marking and signage be provided to the intersection of Gap Road and Werris Creek Road. It has also been suggested by TPK that consideration of the inclusion of a median in the Gap Road approach to its intersection with Werris Creek Road be considered.

Car Parking

Based on past experience with similar residential accommodation, the Mac Group apply have formed a parking rate of one car parking space for every two units. Considering the characteristics of the site and the expected demand for parking spaces, a provision of 1,104 spaces has been provided in this instance. TPK has confirmed that the provision of these spaces is appropriate for the proposal.

Access

TPK has confirmed that the road network and entry road into the site are suitable for the proposal. It is highlighted that the entry road into the site has been designed as an intersection in accordance with AS2890.1, which will allow for safe turning paths for all expected vehicles types entering and exiting the site.

TPK have also noted that the proposed pedestrian pathway network adjoining the road network will be sufficient. This pathway will connect to an existing path into the Werris Creek township to allow for pedestrian access into the town.

Summary

The expected traffic generation of the proposal is not considered to have a significant effect on the existing operation of the surrounding road network. No significant works to the existing network are required, yet TPK have recommended that several works be carried out to enhance the existing network.

4.7 Flora and Fauna

A Flora and Fauna Assessment has been prepared by Mitchel Hanlon Consulting Pty Ltd to examine the existing environment on the site and assess the potential impacts of the proposal on this existing flora and fauna (see **Appendix B**). Mitchel Hanlon Consulting have undertaken a survey of the site to identify any significant flora or fauna which may be present. The results of this survey and outcomes of an assessment against the proposal are explored below.

Existing Conditions

The site survey undertaken by Mitchel Hanlon Consulting identify a wide range of flora and fauna on the site. A total of 68 flora species were identified on the site including the critically endangered White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland. Other potential threatened flora species which were targeted in the survey were not recorded and their presence on the site is considered unlikely.

Visual observations identified that the site is a mixture of low, moderate and high value habitats. The past agricultural uses on the site have limited the vegetation and this have therefore resulted in reduced opportunities for fauna habitat. The site survey recorded four avian species and several feral animals. The habitat and potential habitat of several species was also observed, including Grey-headed Flying Fox, Koala, Turquoise Parrot, Powerful Owl habitat, Large-eared Pied Bat – Large Pied Bat, Rainbow Bee-eater and White-throated Needletail.

This report has been supplemented by a Koala Habitat Assessment, prepared by Eco Logical Australia (**Appendix C**), which has identified additional fauna species not observed by Mitchel Hanlon Consulting, including a Little Lorikeet (*Glossopsitta pusilla*), which is listed as vulnerable under the TSC Act.

Assessment

According to Mitchel Hanlon Consulting, the proposal will not result in any adverse impacts to the identified critically endangered flora species, being the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland as the proposal is not located in the vicinity of these species. In order to ensure the protection of these species occurs, it has been recommended that ongoing management be undertaken in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* Policy Statement.

The potential impact on fauna species which have, or have potential, for habitat on the site was assessed by way of a seven part test of significance as set out under the TSC Act. Based on this assessment, it has been identified by Mitchel Hanlon Consulting that the proposal is unlikely to impact on these species or their habitat.

4.8 Koala Habitat

The protection of koala habitat is set out in *State Environmental Planning Policy 44 – Koala Habitat Protection* (SEPP 44). SEPP 44 stipulates that an assessment of the opportunity for potential or core koala habitat be undertaken on sites greater than one hectare in specified Local Government Areas (LGA). The Parry LGA is listed in Schedule 1 of SEPP 44 as an LGA to which this policy applies. Although SEPP 44 does not reflect the recent merge of parts of Parry, Murrurundi and Gunnedah LGAs into the Liverpool Plains Shire Council, it is still required that this assessment be undertaken.

Under SEPP 44, if it is identified that the land has opportunity for potential or core koala habitat, then an assessment of the impact of the proposal must be undertaken prior to the granting of consent for development on the site.

As such, Eco Logical Australia have prepared a Koala Habitat Assessment to investigate the potential for koala habitat on the site (see **Appendix C**). The preparation of this assessment has involved an examination of the relevant literature and databases, as well as a study of the site of the proposal.

A review of available data identified that four separate koala records were located within 15 kilometres of the site. The site inspection carried out by Eco Logical Australia also identified only one tree species (River Red Gum) on the site listed

under SEPP 44 as a koala habitat tree. The majority of other trees on the site were identified as secondary koala feed trees.

In order to be classified as potential koala habitat under SEPP 44, a total of 15% of the entire tree community on the site is to be classified as koala habitat trees. Despite the presence of one species of koala habitat trees on the site, the existing number of trees do not meet this criteria and the site therefore does not constitute potential or core koala habitat. Accordingly, based on the results of the SEPP 44 assessment of the project site, and the lack of "potential koala habitat" or "core koala habitat", a Koala Plan of Management is not recommended as being required by Eco Logical Australia.

4.9 Geotechnical

A Geotechnical Report has been prepared by Coffey Geotechnics to identify the existing conditions of the site, assess the potential for acid sulphate soils and provide recommendations on the pavement parameters and design (see **Appendix D**).

Based on the existing geotechnical conditions on the site, Coffey Geotechnics has provided several recommendations on the foundations for the proposal and also the pavement design. These recommendations should be implemented into the detailed design of the development prior to the issue of the relevant construction certificate.

4.10 Bushfire

A Bushfire Protection Assessment (BPA) has been prepared by Eco Logical Australia and is provided at **Appendix M**. The BPA has involved an assessment against the relevant bushfire protection provisions, with Eco Logical Australia recommending a number of Asset Protection Zones (APZ), construction standards and access requirements for fire fighting. Eco Logical Australia has identified that the relevant assessment criteria include provisions contained within Section 100B of the *Rural Fires Act 1997* and Planning for Bushfire Protection 2006 (RFS 2006) document (PBP 2006).

Eco Logical Australia has noted that the primary bushfire hazard is the large remanent grassy woodland to the west of the proposed residential accommodation. Other potential bushfire hazards include the grassland around the residential accommodation and the adjoining sites comprising agricultural land and the nearby golf course. The majority of these hazards are located on flat land.

Following this assessment of the site and the proposal, Eco Logical Australia has provided several recommendations which will ensure an adequate standard of bushfire protection is applied to the site and which have been incorporated into the design of the proposed development. These recommendations are summarised below.

Asset Protection Zone

Under the PBP 2006 a minimum APZ of 10 metre is required for grassy woodland and grassland hazards on flat land. The proposed APZ for the site is 50 metres around each perimeter of the residential accommodation. The bushfire attack level is noted by Eco Logical Australia as low to the north, east and south, and at a level of 12.5 to the west.

Construction Standards

Eco Logical Australia has recommended that the residential accommodation on the western perimeter of the site comply with *AS 3959-2009 Construction of buildings in bushfire-prone areas*. As the bushfire attack levels to the north, east

and south are low, no further requirements for construction of the accommodation are necessary.

Access

The proposed single access driveway from Gap Road is considered appropriate by Eco Logical Australia in light of the low bushfire rating on the site and its path through low grassland. Eco Logical Australia has undertaken an assessment of the road network against the performance criteria and acceptable solutions of the PBP 2006. Several recommendations for the final design of the road have been provided in the BPA to ensure compliance with the PBP 2006 (see **Appendix M**).

Utilities

Eco Logical Australia has noted that the proposed water supply will need to comply with *AS 2419.1 Fire hydrant installations – System design installation and commissioning* and that gas services to the site must be installed and maintained in accordance with *AS/NZS 1596 The storage and handling of LP Gas*. It is also noted that no part of a tree is to be located closer than 0.5 metres from any power line conductors.

4.11 Social and Economic Impacts

The proposal is well located on the fringe of the Werris Creek Township to enable the future occupants of the site to frequent the town and take advantage of its current services, such as shops and entertainment. The proposed residential accommodation will provide significant economic and social benefits to the township, through an injection of both human and monetary capital. The expected economic injection from the procurement phase of the project is anticipated to be in excess of \$50 Million.

It is the intention for occupants of the site to not only take advantage of the on-site communal facilities, but to also utilise the services offered in the township of Werris Creek. It will be encouraged that occupants enter the town and become part of the community during their stay at the site. This is considered a social benefit to the town. On this basis, ongoing economic injection to the local economy is anticipated to be in excess of \$10 Million annually.

The site is also located in an optimal location within its regional context, situated centrally to a number of different mining operations with good access to the regional road network. Not only will the residential accommodation support an important sector contributing to the regional and state economy, the accommodation itself will result in the creation of jobs at a local level. The increase in population through the proposal will also result in increased demand for essential services such as food, fuel and gas, which will all translate to increased capital flow through Werris Creek and the wider community.

Overall, the social and economic benefits of the proposal on the township and community of Werris Creek are seen as important and a positive factor of the proposal. The residential accommodation will satisfy an identified demand for housing key workers, whilst also contributing to the social and economic viability of the locality.

4.12 Stormwater Management

A stormwater assessment for the proposed development has been included in the Servicing Strategy, conducted by Woodlots and Wetlands Pty Ltd, and is included in **Appendix G**. The report proposes a conceptual servicing stormwater layout plan which can be treated to achieve water quality guidelines via a combination of a vegetated infiltration basin and swales.

5.0 Conclusion

This Development Application seeks consent for the Construction of a residential accommodation facility for up to 1,512 studios units across ten (10) stages with associated recreation and parking facilities. The proposal also incorporates a small caravan park facility to provide a service to passing travellers.

The proposed residential accommodation and caravan park development is permissible with consent in the R1 General Residential zone under the Liverpool Plains LEP. The proposal fulfils the objectives of the zoning of the site, which was recently rezoned from rural to residential uses.

The proposed residential accommodation will provide an important housing service to support the surrounding mining community, offering accommodation for a workforce which is an important sector in the regional and state economy. The small caravan park component will provide an alternative form of tourist accommodation that is currently lacking in the local area.

The proposal is of a low scale and does not detract from the character of the locality nor does it have any adverse impacts on adjoining properties. Future occupants will be provided with a high level of amenity and all necessary services and facilities during the time of their stay.

It is recommended that the application be approved subject to reasonable and relevant conditions.