

**DA/1034/2013 - Supplementary Report No. 2 - Proposed Boarding House at
2-4 Glen Road, Ourimbah**

TRIM REFERENCE:

Manager: Tanya O'Brien

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SUMMARY

A development application was received for the demolition of two existing dwellings and the erection of a boarding house and associated carparking and open space pursuant to the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP-ARH) at 2-4 Glen Road, Ourimbah. The application has been reviewed by the Joint Regional Planning Panel (JRPP) on two occasions who deferred determination pending the provision of additional information and revised plans.

The application has been examined having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the previous reports. This supplementary report addresses the items identified for attention at the JRPP meeting of 16 July 2015.

Applicant	K & P Gregory
Owner	K & P Gregory
Application No	DA/1034/2013
Description of Land	Lot 18, 19 & 20 DP 20732, No. 2-4 Glen Road, Ourimbah
Proposed Development	Boarding House
Site Area	2966m ²
Zoning	2(b) Multiple Dwelling Residential WLEP 1991 R1 General Residential WLEP 2013
Existing Use	Dwellings
Estimated Value	\$5,155,000 (excluding GST)

RECOMMENDATION

- 1 That the Joint Regional Planning Panel grant consent to DA/1034/2013 at 2-4 Glen Road, Ourimbah for a boarding house including 100 rooms, one managers residence and associated parking.***
- 2 That Council advise those who made written submissions of its decision.***

Introduction

Development application (DA/1034/2013) for the proposed boarding house was considered by the Hunter & Central Coast Joint Regional Planning Panel on 21 August 2014 and the 16 July 2015. The development application is for a three storey boarding house containing 100 rooms, one manager's residence, associated car parking and open space. This report is to be read in conjunction with the previous reports and the proposed conditions of consent (see attachment).

At its meeting of the 16 July 2015, the JRPP deferred determination of the application pending the submission of the following additional information:

1. *Consolidate plans showing proposed stormwater design details along the western boundary, including an updated stormwater and flood management plan and study that incorporates the proposed landscaping proposals along (and adjoining with respect to vegetation to be retained) this boundary and the proposed car park structure. These plans are to show all existing ground levels and finished ground levels on the site and immediately adjoining land and the finished floor levels of the proposed new buildings and car park structures as they relate to existing ground levels within the site and adjoining land.*
2. *Updated architectural plans showing finished floor levels for all levels of the development including car park structure reduced levels (RLs) for existing ground and proposed RLs for each floor level and for the ridge of the development.*
3. *Provision of the following section plans:*
 - *North south section plans through the east wing for the length of the site;*
 - *North south section plans through the west wing for the length of the site;*
 - *East west section plan through the front half of the building for the width of the site (inclusive of the east and west wings and extending at least 2m beyond the east and west boundaries);*
 - *East west section plan through the rear half of the building for the width of the site (inclusive of the east wing and extending at least 2m beyond the east and west boundaries).*
4. *Revised landscape plan identifying all trees and shrubs proposed for retention and removal (within and immediately adjoining the boundaries of the site) which takes into account the stormwater design details, recommendations from an updated Arborist report, boundary fencing and details of the proposed parking structure.*
5. *An updated Arborist report identifying all trees and shrubs proposed for retention and removal (within and immediately adjoining the boundaries of the site) which takes into account the stormwater design details, boundary fencing (location and height), details of the proposed parking structure, the updated architectural plans (showing levels) and the revised landscape plan.*
6. *Consideration should be given to increasing the amenity of units 24, 25, 125, 126, 225 and 226 by increasing the setback from the eastern boundary.*
7. *The common areas identified on the southern end of the building should be removed from the plans as per the recommendation within Council's assessment report.*

In response the applicant provided additional information on 17 August 2015. Council requested clarification in regard to some discrepancies within the documentation. Those discrepancies were clarified with some documents resubmitted on 27 August 2015.

A response to each of the matters raised by JRPP is provided below.

Item 1:

Consolidate plans showing proposed stormwater design details along the western boundary, including an updated stormwater and flood management plan and study that incorporates the proposed landscaping proposals along (and adjoining with respect to vegetation to be retained) this boundary and the proposed car park structure. These plans are to show all existing ground levels and finished ground levels on the site and immediately adjoining land and the finished floor levels of the proposed new buildings and car park structures as they relate to existing ground levels within the site and adjoining land.

Applicant Response:

Trehy Ingold & Neate have prepared a detailed survey of the existing ground levels and provided cross sections.

RGH Consulting has remodeled the stormwater design along the western boundary. The design has been amended to maintain the existing creek profile and the rock retaining structure has been removed.

Rock scour protection on geofabric matting will be required under the suspended carpark to stabilise the portion of the watercourse that is covered. It has been noted in the report the proposal will not affect or worsen the existing flooding regime for the vicinity.

The site plan, *DA03 issue 1 Site Plan* has been updated to include existing and finished ground levels on the site and immediately adjoining land and the finished floor levels of the proposed new building and car park structure. The section plan, *DA12 issue G Section*, illustrates the existing ground levels as they relate to the proposed development and adjoining land.

Council Response:

The applicant has submitted amended plans and documentation as follows:

- Detail Survey Plan showing existing structures, vegetation and existing ground levels.
- Architectural plans which include a site plan, ground floor plan, level 1 plan, level 2 plan, streetscape elevation, elevations and sections.
- Landscape Plan & Landscape Design Report.
- Arborist Report.
- Revised Flooding and Drainage Study.
- Stormwater Management Plans.

Architectural Plans

The Site Plan shows the existing ground levels with the location of the watercourse and existing vegetation. The existing buildings and structures and the approximate height levels of buildings on the adjoining sites have been shown. Longitudinal sections are also provided

to show the existing ground surface levels and the depth and location of the natural water course.

The architectural plans have been informed by the Detail Survey Plan prepared by Trehy Ingold Neate. The site plan shows the existing ground levels, watercourse and vegetation including the vegetation along the western boundary. It is noted that the standard practice for showing vegetation on survey plans is to show vegetation that has a height greater than 3m and a trunk diameter of more than 150mm. Therefore some of the Camellias located along the western boundary towards the Glen Road frontage are not shown. However they have been included in the Arborist report and shown on the architectural site plan and the landscape plan as being retained.

The relocation of the manager's residence has removed the need for courtyard fencing in the front of the building. This has resulted in the Tallowood (Tree 1) located in front of the building being more visually prominent (not behind a fence) and reduces disturbance to the root zone of the tree compared to the previous plan.

Stormwater Report

The proposed stormwater design is shown along the western boundary and provides details of how the carparking and bin enclosure structure also located adjacent to the western boundary relate to the watercourse. A revised flooding and drainage study has been undertaken which has informed the treatment of the watercourse. An easement to benefit the Council for maintenance of the watercourse is identified on the deposited plan with the watercourse leading to a 900mm diameter pipe (previously identified as 600mm) under Glen Road.

Watercourse cross-sections show the location of the piers supporting the carpark structure and their location in relation to the watercourse. The sections show the watercourse is to generally maintain its natural shape and be rock lined. Council has concerns regarding the maintenance of the watercourse however this can be overcome by an amendment to the cross-sectional area of the channel, increasing the area with a rectangular profile. This has been addressed through a recommended condition of consent (refer to condition 14). The amended profile will also allow for additional capacity of water when required. It has been noted in the revised report that the proposal will not affect or worsen the existing flooding regime for the area which has been accepted by Council's Engineers.

The plans show that works on the watercourse will not require the removal of the Camellias along the western boundary on either the subject site or the neighbouring property. A condition of consent is recommended to retain the Camellias on the subject site (refer to conditions 22 & 36). The vegetation adjoining the boundary on the neighbouring property on the western side will not be impacted by the proposal and will be retained.

An underground on-site detention (OSD) system is proposed. Council requires the post development site discharge rates to be limited to that of the pre-development discharge rates. It was found that an OSD tank of 40m² would adequately manage the site discharge to this requirement. A single 150mm diameter pipe will control the flows and is directly connected to the drainage pit located within the street drainage system.

Arborist Report

The Tallowoods are identified as Trees 1, 2 & 3 in the Arborist report. The report states that Tree 1 (located to the east of the driveway) has a large intrusion into the tree protection zone

(TPZ) which is an unacceptable impact and recommends a TPZ distance of 15 metres and a structural root zone (SRZ) distance of 4 metres. The report states that the recommendation is not consistent with the guidelines specified in Australian Standard (AS) 4970-2009 *Protection of trees on development sites*. Council's arborist considered these distances to be conservative and considered a setback distance of 5 metre to Tree 1 adequate for the retention of the tree.

The recommendations of the Arborist report have been included as a condition of consent. Additionally a condition has been included for the retention of Tree 1.

Item 2:

Updated architectural plans showing finished floor levels for all levels of the development including car park structure reduced levels (RLs) for existing ground and proposed RLs for each floor level and for the ridge of the development.

Applicant Response:

Revised plans have been provided.

Council Response:

Updated architectural plans have been provided. Finished floor levels, reduced levels for existing ground and the proposed ridge level of the development are provided on the elevations and sections. It is noted that the height of the development to the ridge is 10.7 metres (previously identified as 10.5 metres). As noted in the previous supplementary report the height of the building is greater than the ceiling height recommended in Council's Development Control Plan (DCP) and requires the support of a variation of 22.2% to the height guidelines.

The variation is considered reasonable as the proposed building has a maximum height of 10.7 metres to the peak of the roof which is consistent with the general height of the commercial building found to the rear. The topography to the west sharply increases containing a significant amount of existing mature trees which provides a vegetated backdrop to the west of the site allowing the height to integrate with the local area. The proposed height will not hinder solar access and is of a suitable distance to maintain privacy to adjoining properties. Details of this variation are found in the previous supplementary report.

Item 3:

Provision of the following section plans:

- *North south section plans through the east wing for the length of the site;*
- *North south section plans through the west wing for the length of the site;*
- *East west section plan through the front half of the building for the width of the site (inclusive of the east and west wings and extending at least 2m beyond the east and west boundaries);*
- *East west section plan through the rear half of the building for the width of the site (inclusive of the east wing and extending at least 2m beyond the east and west boundaries).*

Applicant Response:

Revised plans have been provided.

Council Response:

Sections have been provided which include:

- Section A-A – north south longitudinal section through the east wing for the extent of the site;
- Section B-B – north south longitudinal section through the west wing for the extent of the site;
- Section C-C – east west cross section through the front half of the building for the width of the site which includes both the east and west wing and extends beyond the boundaries to the adjacent sites. The cross section includes the creek and the integration of the building/carpark structure over;
- Section D-D – east west cross section through the rear half of the building for the width of the site which includes both the east and west wing and extends beyond the boundaries to the adjacent sites. The cross section includes the creek and the integration of the building/carpark structure over.

The submitted plans have satisfied the requirements of item 3 and confirm the relationship of the development to the site, the watercourse and the neighbouring properties.

Item 4:

Revised landscape plan identifying all trees and shrubs proposed for retention and removal (within and immediately adjoining the boundaries of the site) which takes into account the stormwater design details, recommendations from an updated Arborist report, boundary fencing and details of the proposed parking structure.

Applicant Response:

Please see provided revised Landscape report and plans.

Council Response:

A revised landscape plan and report has been provided. The landscape plan appears consistent with the detail survey plan, site plan and stormwater design and shows extensive design. The retention of vegetation along the western boundary is identified in the site plan and supporting Arborist report. As mentioned previously, the standard practice for showing vegetation on survey plans is to show vegetation that has a height greater than 3m and a trunk diameter of more than 150mm. Therefore some of the Camellias located along the western boundary towards the Glen Road frontage are not shown on the detail survey. However they have been included in the Arborist report and shown on the architectural site plan and the landscape plan.

Predominantly the vegetation which runs down the site's western boundary is located on the adjoining property and will not be impacted by the proposed development. The Camellias

have been identified for retention and a condition of consent will be recommended for the retention of those Camellias on the subject site.

The Landscape Report details the design intent and the treatment of the following areas:

- Glen Road,
- Carpark,
- Northwest garden treatment,
- Northeast garden treatment, and
- Eastern treatment.

The report also contains recommended maintenance of the landscaping.

Item 5:

An updated Arborist report identifying all trees and shrubs proposed for retention and removal (within and immediately adjoining the boundaries of the site) which takes into account the stormwater design details, boundary fencing (location and height), details of the proposed parking structure, the updated architectural plans (showing levels) and the revised landscape plan.

Applicant Response:

Please see provided revised Arborist report.

Council Response:

A revised Arborist report has been submitted which identifies all the trees and shrubs proposed for retention and removal. The report considers the location of the trees in regard to the proposed parking structure, stormwater design, boundary fencing and updated architectural plans. The trees on the adjacent property to the west are also considered for retention and detailed in the report.

Item 6:

Consideration should be given to increasing the amenity of units 24, 25, 125, 126, 225 and 226 by increasing the setback from the eastern boundary.

Applicant Response:

Please see revised architectural plans showing the above mentioned units relocation slightly to the west increasing the setback to 5 metres from the eastern boundary. This has created a small step in the building, and therefore further articulation.

Council Response:

The setback distance to the eastern boundary has been increased to 5.0 metres adjacent to units 24, 25, 125, 126, 225 and 226. The manager's residence has been relocated from the left hand side of the front entry to the right hand side with an accessible room in its previous location. The relocation of the manager's residence also relocates the manager's private

open space from the front of the building to the side of the building. The site manager now has a private open space area of 35m² accessible immediately from the living area.

The increase of the setback has resulted in further articulation providing an additional step in the eastern elevation of the building. The revised setbacks proposed for the eastern side of the development are considered reasonable and assist with increasing the amenity to those units adjacent to the eastern boundary.

The relocation of the manager's residence and manager's private open space has enabled the front of the building to address the street in a more positive manner by removing the courtyard fencing previously proposed. The Tallwood (Tree 1) that was previously located behind the courtyard fencing is now incorporated in the landscape design and retained as a feature of the streetscape.

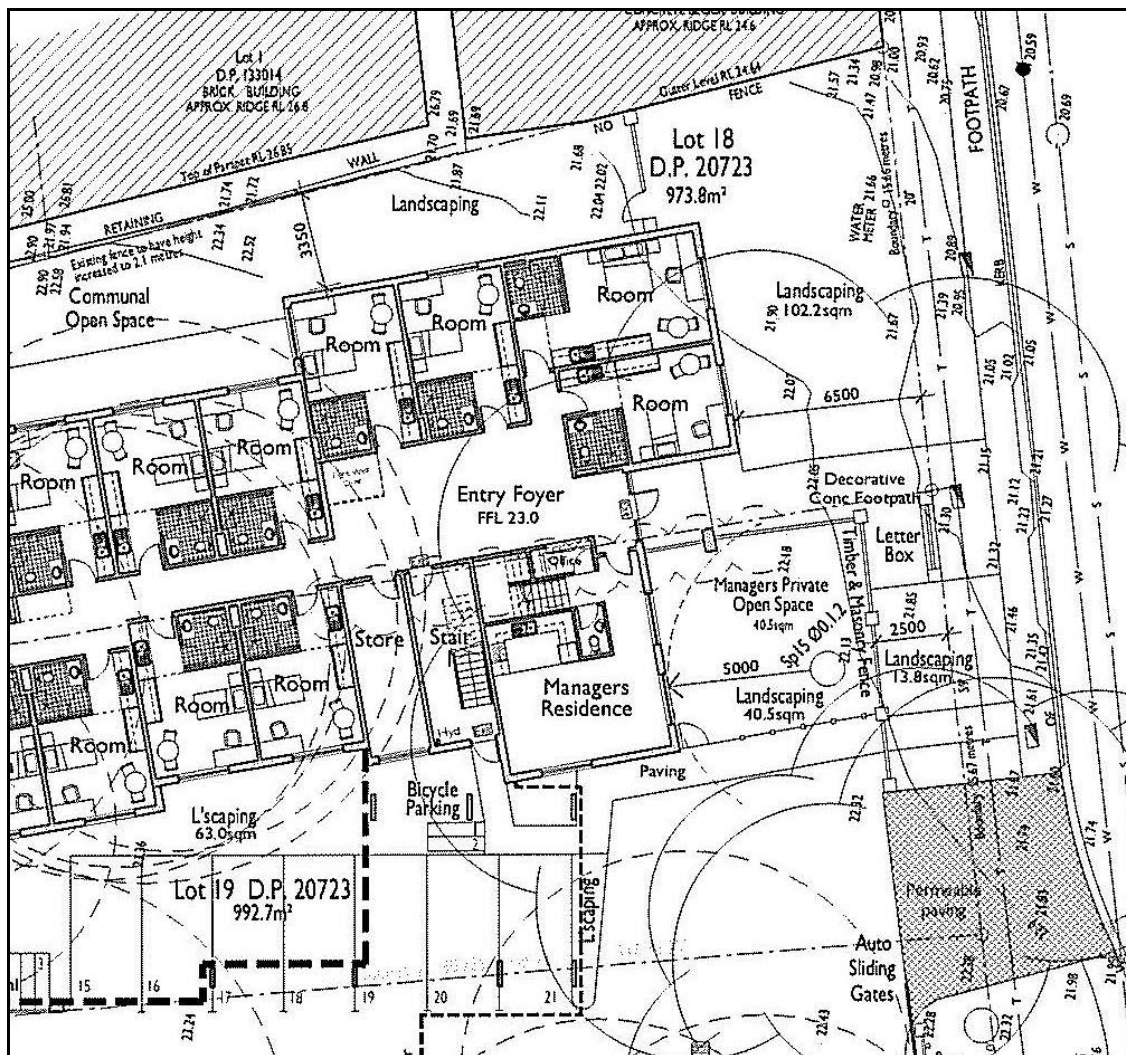


Figure 1: Portion of floor plan showing the previous setback on the eastern side and the previous location of the manager's residence.

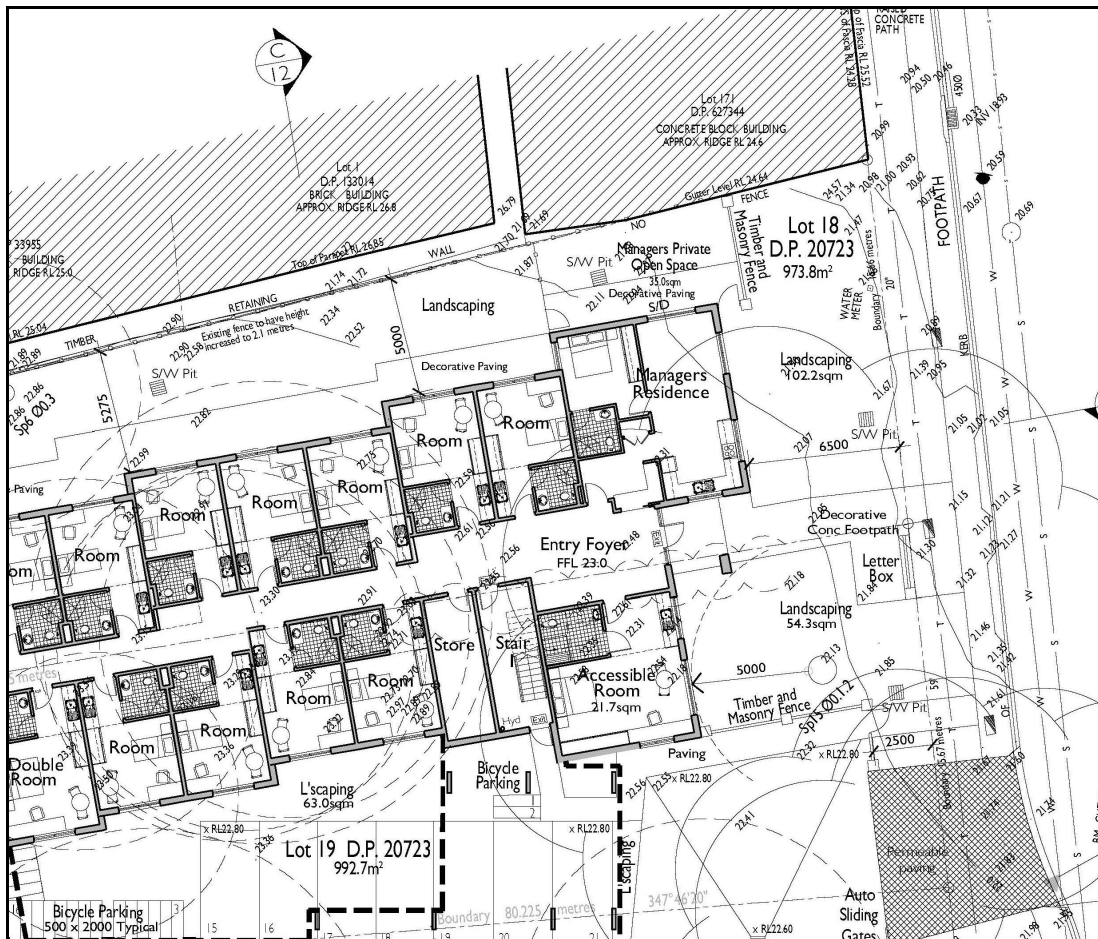


Figure 2: Portion of floor plan showing the increased setback of 5m on the eastern side and the new location of the manager's residence.

Item 7:

The common areas identified on the southern end of the building should be removed from the plans as per the recommendation within Council's assessment report.

Applicant Response:

The outdoor common area is now exclusively adjoining the ground floor recreation room. There is a total of 106m² of common area open space and the BBQ has been relocated to the north eastern corner.

Council Response:

The common areas previously proposed at the southern ends of each floor have been removed which will provide the occupants of the units in these areas with greater amenity and acoustic privacy.

The outdoor open space area previously located on the eastern side of the building has been relocated to the northern side of the building where optimum solar access can be achieved.

A total open space area of 106m² is accessed from two doors on the ground level, one on the northern elevation accessed from the end of the hallway adjacent to the recreation room and one on the eastern side which has direct access from the recreation room.

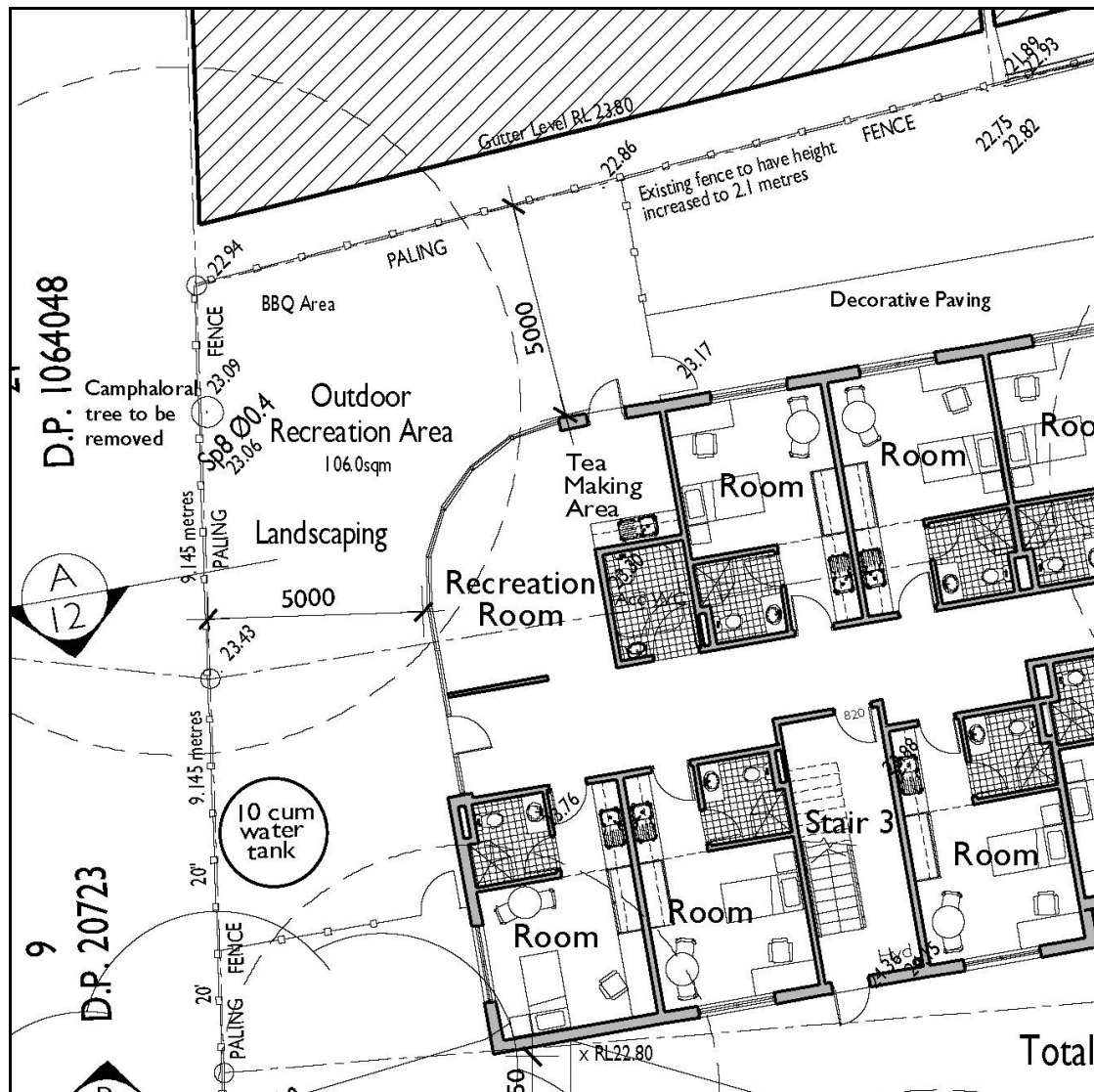


Figure 3: Portion of floor plan showing the location of and access to the outdoor recreation area.

CONCLUSION

It is considered that the applicant has satisfactorily addressed the matters by the JRPP at their 16 July 2015 meeting. The amended plans have resulted in a better resolved internal layout and greater certainty about locations of the building relative to the site and the building's height. The documentation having been reviewed in conjunction with the previous assessment report and draft conditions of consent are considered to adequately address the matters for consideration under Section 79C of the EP&A Act. The application is worthy support.