JOINT REGIONAL PLANNING PANEL
(Northern Region)

JRPP No	**2014NTH003**
DA Number	**2014-0120**
Local Government Area	**Port Macquarie-Hastings Council**
Proposed Development	**Educational Establishment (Charles Sturt University) and Associated Infrastructure including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) under Port Macquarie-Hastings Local Environmental Plan 2011**
Street Address	**Lots 2 and 3 DP 1178043 and Lot 8 DP 1094444, Ellis Parade and Major Innes Road, Port Macquarie**
Applicant/Owner	**Charles Sturt University**
Number of Submissions	**Four**
Regional Development Criteria (Schedule 4A of the Act)	**Proposed University is a Crown development over $5 million in capital investment value ($29.73 million)**
List of All Relevant s79C(1)(a) Matters	• **State Environmental Planning Policy No. 44 - Koala Habitat Protection** • **State Environmental Planning Policy No.55 – Remediation of Land** • **State Environmental Planning Policy No. 62 – Sustainable Aquaculture** • **State Environmental Planning Policy No. 64 – Advertising and Signage** • **State Environmental Planning Policy (Infrastructure) 2007** • **State Environmental Planning Policy (Rural Lands) 2008** • **State Environmental Planning Policy (State and Regional Development) 2011** • **Port Macquarie-Hastings Local Environmental Plan 2011** • **Port Macquarie-Hastings Development Control Plan 2013** •
List all documents submitted with this report for the panel's	1.Recommended conditions 2.Development contributions calculations 3.Copies of submissions

consideration	4. Additional traffic impact and parking details
Recommendation	**Consent subject to conditions**
Report by	**Patrick Galbraith-Robertson, Development Assessment Planner** **8 August 2014**

RECOMMENDATION

That DA 2014 - 0120 for an Educational Establishment (Charles Sturt University) and Associated Infrastructure including Clause 4.6 Variation to Clause 4.3 (Height of Buildings) under Port Macquarie-Hastings Local Environmental Plan 2011 at Lots 2 and 3 DP 1178043 and Lot 8 DP 1094444, Ellis Parade and Major Innes Road, Port Macquarie, be determined by granting consent subject to the recommended conditions.

Executive Summary

This report considers a Development Application (DA) for an educational establishment (Charles Sturt University) and associated infrastructure at the subject site.

The proposal is reliant upon completion of a previous Council approved DA 2014 - 119 for early works which included *Site Clearing, Bulk Earthworks, Levelling/Benching, Stormwater Drainage, Water and Sewer Infrastructure for Future Educational Establishment.*

The proposal is a Crown Development Application and as such is unable to be refused (except with the approval of the Minister of Department of Planning and Environment) and the consent authority is unable to impose conditions of consent without the Applicant's agreement. Draft conditions have been forwarded to the Applicant prior to completion of this report and feedback from the Applicant has been considered in the final recommended conditions.

This report provides an assessment of the application in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

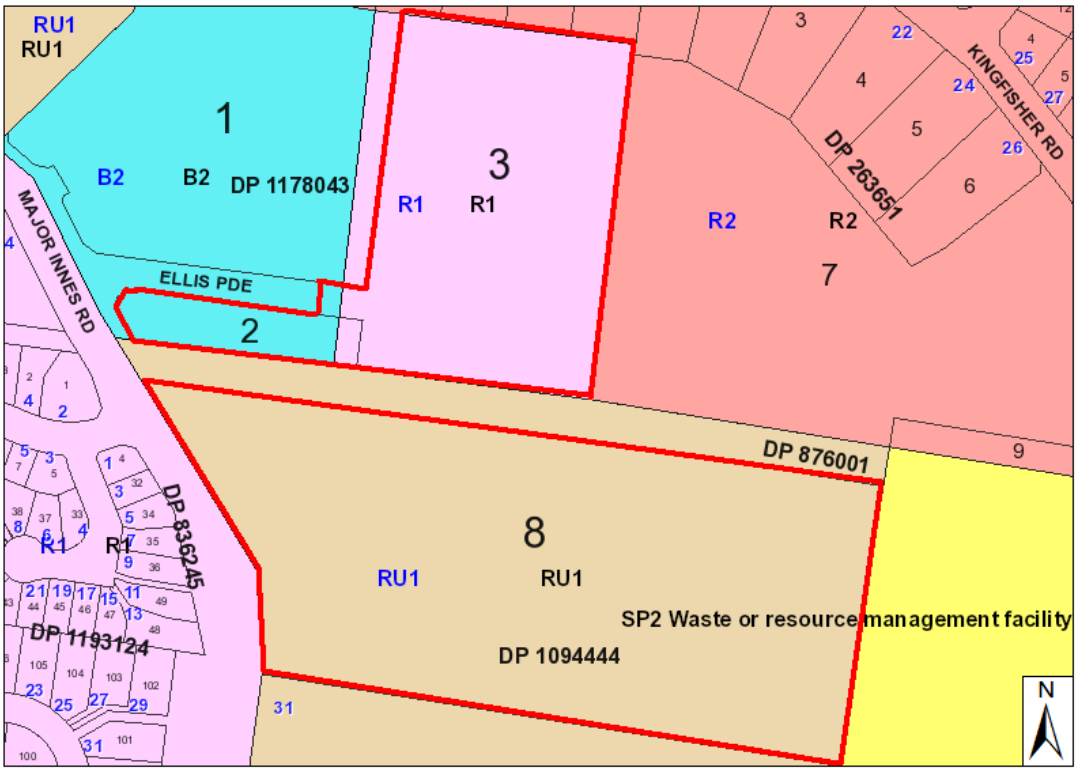
Subsequent to neighbour consultation and exhibition of the application, four submissions have been received.

1. BACKGROUND

Existing sites features and surrounding development

The combined site area (3 lots) has an area of 7.1778 hectares. The site also includes an unformed Crown Road reserve (between Lots 3 and 8).

The site is zoned R1 general residential, B2 local centre and RU1 primary production in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



The site is located approximately 4.5 kilometres south-west of the Port Macquarie Central Business District and approximately 600 metres south of the Oxley Highway. The site historically formed part of a caravan park.

The site is currently vacant and a large portion of the site (Lots 2 and 3 in particular) is relatively cleared. Significant vegetation exists primarily along the perimeter areas and several standalone trees within the site and a mound of fill from earthworks on the Lake Innes Village shopping centre has been placed on the north-east corner of the site.

The Crown Road reserve is largely undisturbed and contains a number of significant trees including large old growth hollow bearing trees.

Lot 8 is located to the south of the Crown Road reserve (south-east corner subject of DA 2014 - 119 and to which this DA is reliant upon for stormwater disposal) and has been largely cleared of vegetation and historically used for agricultural activities.

The site fall across Lots 2 and 3 is moderate from the north-east to west and south of the site with an average grade of between 5-10% and a maximum grade of 15%. The variation in existing ground levels range from RL22.0 in the north-east corner to RL5.0 on the southern boundary.

The subject section of Lot 8 is generally flat with a grade of between 2 and 2.5% and a fall of 2m from RL6 to RL4 from north to south.

The land fronts Major Innes Road, one of two collector roads to the Lake Innes Peninsula Neighbourhood. Major Innes Road connects with John Oxley Drive further north of the site which then connects to the Oxley Highway further to the north.

To the north and north-east of the site are existing low density zoned allotments occupied by residential dwellings which have frontage to Kingfisher Road.

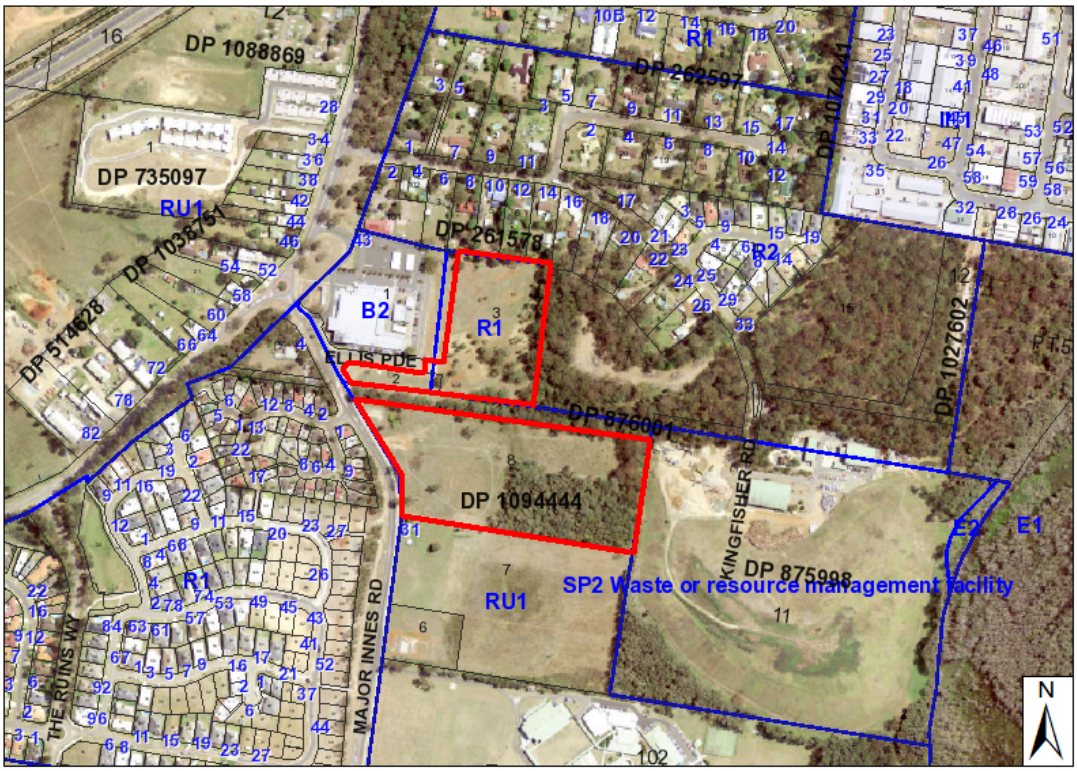
To the west and north of the site is the Lake Innes Village shopping centre.

To the east of Lot 3 is a large undeveloped low density zoned parcel of land which has had trees removed several years ago under a historical development consent for subdivision.

To the south of the site is the existing St Columba Anglican School and Columba Cottage Early Childcare Centre.

To the east of the southern rural Lot 8 is the Council's Waste Transfer Facility and Lake Innes Nature Reserve.

The existing subdivision pattern and location of existing development within the immediate locality is shown in the following aerial photograph (2012 aerial):



nearmap January 2014 aerial photo:

2. DESCRIPTION OF DEVELOPMENT

Key aspects of the proposal include the following:

- Construction and use of a new one to three storey university building which has a maximum building height of 13.75m. The university will house learning commons, general teaching spaces, indigenous student centre, faculty of science, food soil water research centre and office accommodation.
- The university will accommodate up to 770 equivalent full time students and 72 full time equivalent staff and is intended to operate 24 hours a day.
- Construction of internal access roads and parking for a total of 336 vehicles and a loading area.
- Landscaping of the site including a central landscaped courtyard, indigenous garden and amphitheatre.
- Parking area for up to 44 bicycles.

The proposal is reliant upon completion of a previous development approval issued under DA 2014 - 119 for *early works which included site clearing, bulk earthworks including levelling/benching, stormwater drainage, water and sewer infrastructure*.

The university aims to develop a full-service campus for up to 5,000 students (EFTSL) by the year 2030 over multiple lots in the vicinity of the site of this proposal. The later stages are dependent on uptake and will be the subject of separate future applications.

Application Chronology

- 21 February 2014 - DA lodged.
- 25 February 2014 - Referral to NSW Rural Fire Service
- 7 March to 20 March - Neighbour consultation and public exhibition
- 15 April 2014 - RMS advice received
- 16 April 2014 - NSW Rural Fire Service Bushfire Safety Authority received
- 28/29 April 2014 - Additional information received
- 5 June 2014 - Additional information requested
- 3 July 2014 - Additional information received
- 4 July 2014 - Meeting with APP consultants
- 8 July 2014 - Draft offer to undertake works in kind received
- 21 July 2014 - Additional information requested
- 21 July 2014 - Additional information received
- 28 July 2014 - Additional information received
- 1 August 2014 - Draft conditions provided to Applicant for consideration
- 6 August 2014 - Draft conditions feedback from Applicant

3. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

(a) The provisions (where applicable) of:
(i) any Environmental Planning Instrument:

State Environmental Planning Policy No. 44 - Koala Habitat Protection

In accordance with clauses 6 and 7, the subject land has an area of more than 1 hectare in size (including any adjoining land under same ownership) and therefore the provisions of SEPP must be considered.

In accordance with Schedule 2, the site consists of areas of potential koala habitat containing more than 15% of koala feed trees species.

Removal of trees has been considered and previously approved under the preceding early works DA2014 - 119 to which this proposal is reliant upon. As part of this DA, in addition to the offset planting proposed under DA2014 - 119, 30 koala food trees are the planted throughout the site as part of the landscaping.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No.55 – Remediation of Land

The Applicant has also submitted a Phase 2 Environmental Site Investigation prepared by RCA Australia which confirms that the area of proposed works is suitable for use as an educational establishment.

In accordance with clause 7, following an inspection of the site and a search of Council records, the subject land is not identified as being potentially contaminated and is suitable for the intended use.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

In accordance with clause 15C, given the nature of the proposed development, proposed stormwater controls and its' location, the proposal will be unlikely to have any identifiable adverse impact on any existing aquaculture industries within the nearby Hastings River approximately 4 kilometres from the site.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy No. 64 – Advertising and Signage

A site entry marker is proposed on the southern corner of Major Innes Road and Ellis Parade as identified in the submitted landscape plan. The marker will consist of a 1.5m high x 12m long rendered block wall with the Charles Sturt University name and logo affixed, in ground lighting, flagpoles and feature planting behind.

The proposal satisfies the applicable requirements of this SEPP as building identification signage. The following assessment table provides consideration of the proposal in accordance with Schedule 1 of the SEPP.

Applicable clauses for consideration	**Comments**	**Satisfactory**
Clause 8(a) Consistent with objectives of the policy as set out in Clause 3(1)(a).	The scale and form of the signage proposed will be compatible with the desired amenity and visual character of the immediate locality. The signage will be effective in communicating the entry to the site off Major Innes Road and will be of a high quality design and finish.	Yes
Schedule 1(1) Character of the area.	The low scale signage will be compatible with the locality.	Yes
Schedule 1(2) Special areas.	The low scale signage will not detract from the amenity of nearby residential properties.	Yes
Schedule 1(3) Views and vistas.	The signage will not affect any significant views or have an adverse impact on any vista noting that Major Innes Road is wide throughfare.	Yes
Schedule 1(4) Streetscape, setting or landscape.	The low scale and form of the signage is limited and compatible with the proposed landscaping and streetscape context having frontage primarily to Major Innes Road but also Ellis Parade.	Yes
Schedule 1(5) Site and building.		Yes
Schedule 1(6) Associated devices and logos with advertisements and advertising structures.	The logos and flags will be limited and suitable for the intended purpose to identify the university	Yes
Schedule 1(7) Illumination.	No adverse impacts identified with the limited illumination of the signage	Yes
Schedule 1(7) Safety.	No safety concerns identified with the signage. The location of the signage is suitable for the intended purpose.	Yes

State Environmental Planning Policy (Infrastructure) 2007

In accordance with clause 28, the following applies:

28 Development permitted with consent

(1) Development for the purpose of educational establishments may be carried out by any person with consent on land in a prescribed zone.

…

(2) Development for any of the following purposes may be carried out by any person with consent on any of the following land:

(a) development for the purpose of educational establishments—on land on which there is an existing educational establishment,

(b) development for the purpose of the expansion of existing educational establishments—on land adjacent to the existing educational establishment.

……

The university is a permissible landuse in the R1 general residential zone which is a prescribed zone.

As part of the previous early works DA 2014 - 119, it was considered that this clause permits the stormwater works associated with the early works for the educational establishment to expand beyond the R1 zoned land irrespective of the zone of the land upon which the expansion occurs. Clause 5.3 of the Port Macquarie-Hastings Local Environmental Plan 2011 has also been addressed.

In accordance with clause 32, before determining a development application for the purposes of a school, the consent authority must take into consideration all relevant standards in the following NSW Government publications:

(a) School Facilities Standards—Landscape Standard—Version 22 (March 2002),
(b) Schools Facilities Standards—Design Standard (Version 1/09/2006),
(c) Schools Facilities Standards—Specification Standard (Version 01/11/2008).

It is considered that the school has been designed to meet these standards.

The application has been referred to the NSW Roads and Maritime Service (RMS) and the comments provided from the RMS require consideration under clause 104(3)(b)(i). The RMS advice and other matters requiring consideration under clause 104(3)(b)(ii) and (iii) are considered in the assessment of access, traffic and parking impacts addressed later in this report.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy (Rural Lands) 2008

In accordance with clause 7, the proposal will not result in any identifiable landuse conflict with any other existing agricultural use. The subject rural zoned land portions within proximity to the site and as part of the site are not suitable for any ongoing primary production and are not identified as being significant farmland. It should also be noted that the proponent has purchased all lots within the subject site and further to the south including Lot 7 which is currently zoned RU1 Primary Production.

The requirements of this SEPP are therefore satisfied.

State Environmental Planning Policy (State and Regional Development) 2011

This policy aims to identify state and regional significant development or infrastructure and confer functions on joint regional planning panels.

In accordance with clause 20 of this policy, clause 6 of Schedule 4A of Act identifies the development for which a Regional Panel is authorised to exercise the consent authority function. In this regard, the proposed university is a Crown development over $5 million in capital investment value ($29.73 million) and therefore the Joint Regional Planning Panel (JRPP) is the consent authority for the proposal.

In accordance with clause 21, the purpose of this report is to provide an assessment of the DA in accordance with section 79C of the Act to assist the JRPP in making a determination of the DA.

Port Macquarie-Hastings Local Environmental Plan 2011

In accordance with clause 2.2, the subject site is zoned R1 general residential, B2 local centre and RU1 primary production in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011.

In accordance with clause 2.3(1) and the R1 and B2 zone landuse tables, the proposed educational establishment for a university is permissible with consent. Permissibility of works on the RU1 zoned section of Lot 8 and the Crown Reserve (previously approved under DA 2014 - 119) are addressed under clause 5.3 and the Infrastructure SEPP addressed earlier in this report.

The objectives of the R1 and B2 zone are as follows:

Zone R1 General Residential

1 Objectives of zone

- *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.*

Zone B2 Local Centre

1 Objectives of zone

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To ensure that new developments make a positive contribution to the streetscape and contribute to a safe public environment.*

Zone RU1 Primary Production

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

In accordance with clause 2.3(2), the proposal is consistent with the zone objectives primarily as the proposed use and works are a permissible landuse, the university will provide significant benefits for residents in the Port Macquarie-Hastings locality and the rural zoned land sections of the site are no longer suitable for viable agricultural purposes.

In accordance with clause 4.3, the maximum overall height of the proposal above ground level (existing) varies to a maximum 13.75m in height at the southern elevation of the building. This height exceeds the standard height limit of 11.5m applying to the site. A clause 4.6 variation has been applied for as part of the DA and addresses below.

In accordance with clause 4.4, the floor space ratio of the proposal is 0.3:1.0 which complies with the maximum 0.65:1 floor space ratio applying to the site.

In accordance with Clause 4.6, the Applicant has submitted a request the vary the 11.5m standard height limit in part to a height of 13.75m for the following reasons:

- In part due to the topography of the site,
- To accommodate the required floor to ceiling heights of 4m for a modern university building, and
- Need for expansive, flexible floor plates and rational layouts suitable for teaching purposes,
- Roof form which aims to conceal plant and noise,
- The site and locality is in the process of transition from vacant rural land to commercial and educational developments, including Lake Innes Village shopping centre to the west,
- The floor space ratio is well below the maximum permitted for the site,
- Part of the land immediate to the south of the site is proposed to be zoned for future urban development in accordance with the draft LEP currently under consideration. As a result the likely future development in this area that could potentially be affected by the proposal is limited,
- The building is a maximum of three storeys which is consistent with the objectives of the LEP and intent of the maximum 11.5m height limit (should the site have been developed for residential purposes),
- The building has been designed to isolate the maximum building height and non-compliance to the southern elevation of the building at the centre of the site, and
- Given there are generous setbacks, there are no overshadowing impacts with the variation of maximum building height.

The above justifications for seeking a variation to standard building height restriction are well founded and reasonable. It should also be noted that the Director General's concurrence from the Department of Planning and Infrastructure is assumed for Council's assessment of the building height variation under Planning Circular PS 08-003.

In accordance with clause 5.3, the proposed stormwater works approved under DA2014 - 119 to which this proposal is reliant upon within the RU1 Primary Production zone are permissible by virtue of this clause. This clause enables flexibility of landuses within 100m of the zone boundary shared with land zoned RU1 Primary Production. The location and arrangement of stormwater infrastructure is proposed in response to the existing topography, environmental constraints, and the location of possible future building envelopes and car parking areas.

In accordance with clause 5.9, several listed trees in Development Control Plan 2013 are proposed to be removed as approved under the previous DA2014 - 119 - early works to which this proposal is reliant upon.

In accordance with Clause 5.10, the site does not contain or adjoin any known heritage items or sites of known heritage significance.

In accordance with Clause 5.12, it is noted that this LEP does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007.

In accordance with clause 7.1, the eastern section of Lot 8 is identified as having potential class 2 acid sulfate soils. The Applicant has submitted advice as part of the previous approved early works for DA2014 - 119 that site investigation and soil testing has been undertaken as part of a Limited Environmental Site Investigation conducted by RCA Australia (RCA report). The Soil testing has identified that there is a low probability of acid sulphate soils within the low-lying swamp areas for materials encountered at a greater than 1m depth. Review of the RCA report reveals that the borehole test locations do not extend to cover the area of potential clause 2 acid sulphate soils where the proposed stormwater detention basin is proposed within the north-east section of Lot 8. A precautionary condition was previously imposed to require an Acid Sulfate Soil Management Plan to be prepared as part of DA2014 - 119.

In accordance with clause 7.2, significant earthworks proposed on the site have been previously considered and approved under the DA2014 - 119 for the early works.

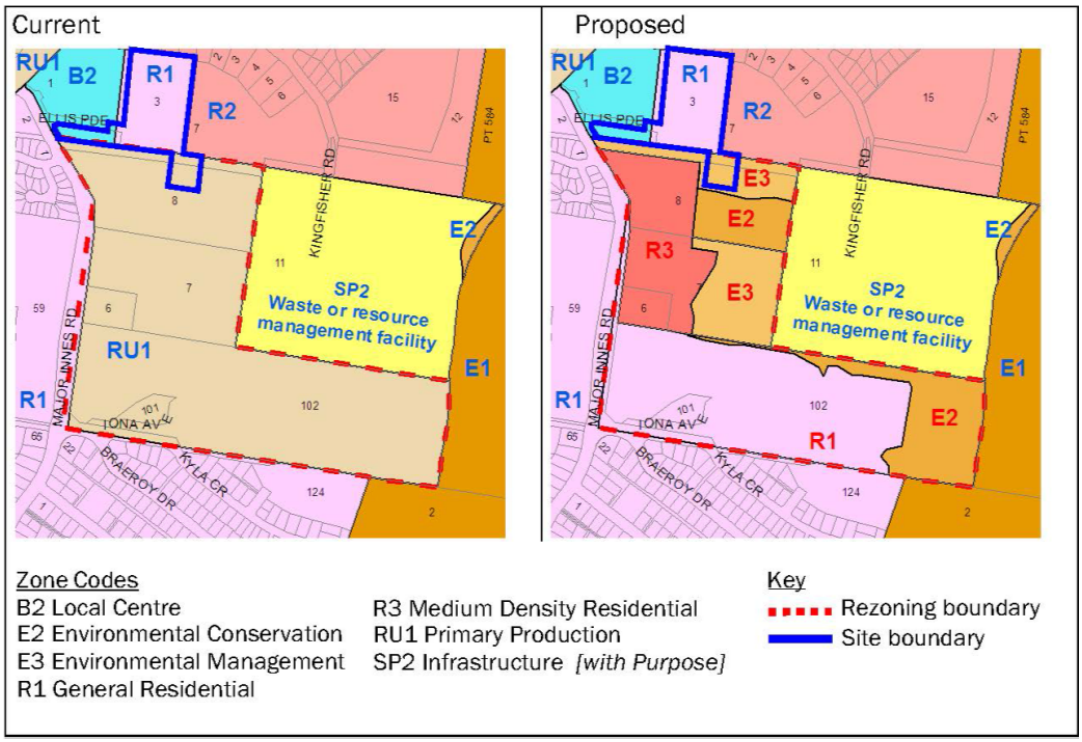
In accordance with Clause 7.4, which relates to flood risk management, identifies land between the flood planning area and the line that is shown as the probable maximum flood level on the Flood Planning Map and/or land surrounded by the flood planning area. This clause does not strictly require consideration as it only applies to development with particular evacuation or emergency response issues which do not list/specify educational establishments.

In accordance with clause 7.13, satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the university development.

The requirements of this LEP are therefore satisfied.

(ii) Any draft instruments that apply to the site or are on exhibition:

Amendment 25 to the Port Macquarie-Hastings Local Environmental Plan 2011 proposes to rezone the section of the Crown Road Reserve and part of Lot 8 (blue outline identifies extent of works) as per below:



This proposed Draft LEP has been adopted by Council by way of resolution but not yet exhibited. The rezoning proposal is effectively not a draft LEP as yet and has very little weight for consideration. However, it is noted that the proposal is not inconsistent with the objectives of the E3 zone to which the section of the site proposed to be rezoned to E3 Environmental Management. This matter was considered in detail for the stormwater works proposed on Lot 8 as part of the early works DA2014 - 119.

(iii) any Development Control Plan in:

Port Macquarie-Hastings Development Control Plan 2013

The proposal is consistent with the DCP (as applicable) as detailed in the following compliance table:

DCP 2013: General Provisions			
DCP Objective	**Development Provisions**	**Proposed**	**Complies**
2.4.3.4	Asset protection zones are to be wholly provided within private land.	The bushfire safety authority granted by the RFS requires only the site itself to be managed as an Inner Protection Asset Protection zone.	Yes
2.4.3.6 Stormwater	Stormwater infrastructure to be designed in accordance with AUSPEC Design Specifications	The majority of stormwater infrastructure has been initially approved under the previous early works DA 2014 - 119	Yes

		and is compliant to AUSPEC design specifications.	
2.5.3.2	New direct access to a distributor road is not permitted.	The university's primary entrance is from Ellis Parade which is a public road connecting to Major Innes Road. No additional new direct access points to Major Innes Road are proposed.	Yes
2.5.3.3	Parking provision is to be determined by a parking demand study	Traffic and parking assessment submitted which justifies 336 total on-site parking spaces proposed based upon demand generated by 700 equivalent full time students load and 74 equivalent full time staff. Refer to more details later in report.	Yes
2.5.3.7	- Visitor and customer parking easily accessible from street. - Internal signage required to improve circulation - Parking spaces behind building line however if forward landscaping 3m width in front - parking layout in accordance with AS/NZS 2890.1 and AS/NZS 2890.2	Carparking design comments detailed later in this report. Landscaping buffer to carparking areas satisfactory.	Yes
2.5.3.9	Bicycle and motorcycle parking considered	44 bicycle spaces provided including 18 secure spaces. Motorbikes can also utilise car spaces.	Yes
2.5.3.12/13	Landscaping of parking areas including large tree planting	Satisfactory landscape plan proposed including plantings of 30 koala food trees within the site. Note specific condition recommended for specific species to be planted.	Yes
2.5.3.14	Sealed driveway surfaces unless justified	Driveways will be sealed.	Yes
2.5.3.15	Driveway grades for first 6m of 'parking area' shall be 5% grade (Note AS/NZS 2890.1 permits steeper grades)	Driveway grades satisfactory	Yes
2.5.3.16	Transitional grades min. 2m length	Driveway grades satisfactory	Yes

2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Refer to comments later in this report.	Yes
	No direct discharge to K&G or swale drain	Stormwater design has been accepted by Council's Stormwater Engineer.	Yes
2.5.3.18	Car parking areas drained to swales, bio retention, rain gardens and infiltration areas	Carparking areas designed to included swales and biorention. Note previous DA2014 - 119 for early works approved overall stormwater strategy with more final details in this DA proposal for the building and carparking areas in particular which are satisfactory.	Yes
2.5.3.19	Loading bay design requirements	Loading area designed to cater for medium rigid vehicles and will not impact on the visual or acoustic privacy for nearby residents and the public domain. A detailed analysis of turning swept paths have been provided. Refer to more details later in report.	Yes
2.5.3.22/23	Traffic generated development refer to RMS	RMS provided advice on proposal which has been considered later in this report.	Yes
2.7.2.1	A social impact assessment to be undertaken in accordance with Council's Social Impact Policy	A Social Impact Comment (SIC) has been prepared by JBA consultants. The SIC report addresses the likely impacts of the development on the local area and community, consultation with key stakeholders, including directly affected neighbours and details the positive and negative aspects of the proposal and how negative impacts will be mitigated. No specific conditions are recommended in this regard. Refer to more details later in report.	
2.7.2.2	Design addresses generic principles of Crime Prevention Through	The development has addressed the general principles of CPTED. A Crime	Yes

	Environmental Design (CPTED) guideline: • Casual surveillance and sightlines • Land use mix and activity generators • Definition of use and ownership • Lighting • Way finding • Predictable routes and entrapment locations	Risk assessment report prepared by Harris Crime Prevention Services has been submitted. The report has made recommendations in relation to the main aspects of Crime Prevention Through Environmental Design principles including addressing boundaries, perimeter and building facades, entry and internal circulation, carparking, lighting, landscaping, signage, lifts, lobbies, stairwells, corridors, waste storage/collection. These recommendations will form part of the consent approval.	

(iiia) any planning agreement that has been entered into under Section 93f or any draft planning agreement that a developer has offered to enter into under Section 93f:

No planning agreement has been offered or entered into relating to the site.

iv) any matters prescribed by the Regulations:

N/A

v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates:

No Coastal Zone Management Plan applies to the subject site.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality:

Context & Setting

The architectural form, height and massing of the proposal are considered appropriate within the existing context and residential zoning taking into consideration of the setbacks to the building as follows:

- North side setback = minimum 56 metres (approximately)
- East side setback = minimum 15.35 metres
- South side setback = minimum 41 metres to Crown Road reserve (approximately)
- West side setback = minimum 3.25m to side boundary and approximately 27m to end of public domain Ellis Parade

The carparking, vehicle circulation and associated landscaping are located so as to not dominate the site and to provide easy, safe, compliant access to the building.

The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain connection via Ellis Parade.

The proposal is considered to be generally consistent with the desired character for the locality and adequately addresses planning controls including variations to the building height as justified.

The proposal does not have any identifiable impact on existing sharing of iconic or water views.

The proposal does not have significant adverse lighting impacts.

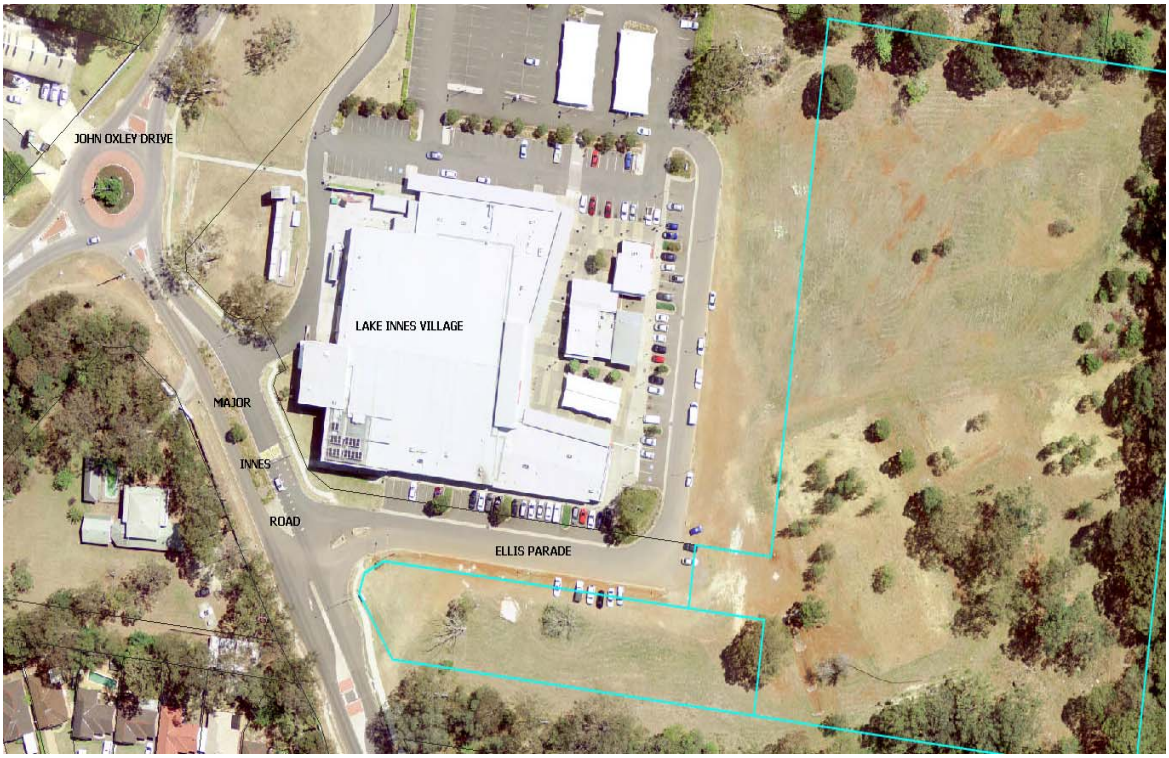
There are no significant adverse privacy impacts. Adequate building separation is proposed particularly to existing dwellings to the north. A condition is recommended to construct a new lapped and capped 1.8m high timber fence for the full length of the northern boundary.

There are no adverse overshadowing impacts. The proposal does not prevent adjoining properties from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads

Lots 2 and 3 (shown in below aerial photo) have frontage to Major Innes Road and Ellis Parade, both of which are Council owned roads. An unformed Crown road separates Lots 2 and 3 from the site of the future university stages (Lot 8).

Major Innes Road is generally a 9m wide two-way, two-lane Collector Road with pedestrian and intersection island treatments within a 28m wide road reserve. In the vicinity of Ellis Parade the road widens to two southbound lanes. The eastern side of Major Innes Road is bounded by an off-street shared cycleway/footpath from Ellis Parade to Braeroy Drive (south of the site in proximity to St Columba Anglican School).



Ellis Parade is a two-way two-lane road with a 9m (approx.) wide asphalt sealed road formation, within a 16m wide road reserve. Ellis Parade currently has no pedestrian pathways and

provides access to 90-degree off-street parking along the southern boundary of the Coles shopping centre for the full length Ellis Parade.

Ellis Parade was constructed as part of DA 2005 - 551 (Lake Innes Village shopping centre). Council construction records show Ellis Parade has been designed to a Local Street standard (AUSPEC D1.5) which would be consistent with intended secondary access for the Coles and use of Lot 3, DP 1178043 as a residential subdivision. “Local Street” pavements are designed for up to 100 equivalent (residential) tenements, equating to approximately 700 daily car trips.

The subject development proposes to intensify the traffic demand accessing the site via Ellis Parade, providing for up to 770 equivalent full time student load (EFTSL) (or upto 1,000 full and part time students) and is designed to provide 336 off-street (on-site) car parking spaces. Traffic associated with the development is projected to exceed the design loading for a “Local Street” pavement and therefore Ellis Parade should be upgraded for the full length to a “Collector Road” standard to cater to proposed demands. An appropriate condition has been recommended in this regard.

An unnamed and unformed Crown (paper) road separates the properties Lot 2 and 3 DP 1178043 from Lot 8 DP 1094444, which is proposed to be used by CSU for future expansion of the university campus. To date, the Crown has given consent for the use of the crown reserve for the provision of stormwater infrastructure which has been approved under the early works DA2014 - 119.

Traffic

Traffic impacts associated with a regional tertiary education (university) campus can vary significantly depending on land uses, demographics, and availability of travel modes.

Initial traffic issues raised by Council staff during prelodgement and assessment discussions included:

- Operations at John Oxley Drive and Major Innes Rd intersection, and Major Innes Road and Ellis Parade intersection
- Review of vehicle access to site to minimise vehicle impacts on the public road network
- Review of bus stop facilities along Major Innes Road
- Evaluation of pedestrian and bicycle connectivity with the site, the shopping complex and the hospital district to the north on Wrights Road.

The Applicant engaged TEF Consulting to evaluate the traffic and parking impacts of this facility based upon data collected at similar CSU regional campuses - Bathurst and Thurgoona (Albury).

The TEF traffic study for the first stage of the CSU Port Macquarie campus (up to 770 EFTSL students) determined that:

- The proposed campus will generate up to 192 trips during the AM peak period and 143 PM peak trips
- The John Oxley Drive and Major Innes Road intersection has sufficient capacity for the development
- The Major Innes Road and Ellis Parade intersection has sufficient capacity for the development

Both Council engineering staff and Roads and Maritime Services' review of the traffic study concluded there were significant deficiencies in the methodology and analysis of existing and future traffic conditions associated with the development.

Although TEF and JBA have responded to issues raised by Council staff, further analysis provided by the Applicant is considered to have not satisfactorily addressed all concerns. In particular, the traffic study substantially underestimates the likely delays on Ellis Parade and Major Innes Road. Furthermore, the CSU traffic study also shows that under current conditions there is minimal queuing for northbound traffic at John Oxley Drive and Major Innes Road roundabout. Field observations during typical afternoon peak times (on school days) confirm northbound vehicle queues extending from the John Oxley Drive roundabout south past the Ellis Parade intersection, impeding the ability for westbound vehicles within Ellis Parade to turn right onto Major Innes Road.

The Applicant has subsequently offered to provide a 'keep clear' treatment across the intersection. An appropriate condition is recommended in this regard. Such a treatment involves provision of text marking on the road, yield lines, and signage to control driver behaviour. This is intended to prevent westbound right turning vehicles from Ellis Parade blocking the southbound through traffic at the intersection, in light of current intersection queuing.

Additional concern is raised with Ellis Parade being the only public access to the university and that egress (westbound) traffic will routinely experience long queues and delays at the Ellis Parade and Major Innes Road intersection. From this there is potential for unsafe traffic behaviour and/or diversion of travel path through the adjoining private property (Lake Innes Village shopping centre). It should be further noted that due to the low volumes currently on the westbound approach of the Ellis Parade/Major Innes Road intersection that based upon existing conditions, queuing through the Ellis Parade intersection does not pose an existing operational or safety concern.

It is considered that the provision of a roundabout at the Major Innes Road and Ellis Parade intersection would be appropriate to improve the safety and efficiency of the intersection, as it will give turning traffic within Ellis Parade priority. Delays experienced by northbound traffic at the Major Innes Rd and John Oxley Drive intersection may then be addressed in the longer-term through future upgrades at this intersection. As an alternative, the Applicant has proposed a merging area within the median strip downstream of the intersection, for westbound right turning vehicles from Ellis Parade to merge safely through a two-staged gap acceptance process (crossing Major Innes Road southbound traffic first, and then merging with northbound traffic queues). A condition has been recommended to require the future provision of either the roundabout or channelised acceleration lane by the landowner if afternoon peak impacts are observed along Ellis Parade.

Alternatively, if operational and safety concerns persist at the Ellis Parade and Major Innes Road intersection, Council as the Road Authority, may take further action through additional treatments including closure of the median strip within Major Innes Drive. This would limit turns at Ellis Parade to left-in / left-out only.

Additionally as part of TEF's traffic assessment, an analysis of the Wrights Road roundabout has been undertaken. Findings within the TEF report show that this roundabout operates acceptably in 2023. Further analysis by RMS and Council has shown deficiencies in the Wrights Road roundabout with future growth. It should be noted that with these findings, the Minister for

Roads has recently announced funding on the 5 June 2014 of $7 Million to provide for future improvements to address intersection deficiencies at the Wrights Road roundabout.

Access

Two vehicular access driveways are proposed. The primary site access road will be from the end of Ellis Parade providing entry to and exit from both the northern and southern carpark facilities. A secondary 'exit only' access is proposed midway along Ellis Parade for egress from the southern carpark.

The Lake Innes Village shopping centre has existing 90-degree angle parking along the north side of Ellis Parade (inside the property boundary). Concern is raised with the interaction between vehicles along Ellis Parade and cars parking in these spaces. To reduce potential conflicts between vehicles, the Applicant has agreed to construct a median along Ellis Parade, from the Major Innes Drive intersection to the existing driveway for the shopping centre. An appropriate condition is recommended in this regard. As long as traffic conditions remain safe, a gap in the median kerb will be permitted (for right turns) at the university secondary exit (from the south car park) to allow university vehicles to circulate without exiting on to Major Innes Road.

Parking

The TEF traffic study submitted collected data from regional campuses at Bathurst and Thurgoona (Albury), which are anticipated to have similar characteristics to the proposed Port Macquarie campus. Based on the data collected, the campus is anticipated to have a peak parking demand of 336 to 372 parking spaces. Plans provided by the applicant propose 336 spaces, near the maximum that the current site can accommodate on Lots 2 & 3, DP 1178043. As proposed parking is at the lower end for the number of students as indicated by the study, additional parking may be required in the future and can be achieved on the adjoining property (Lot 8, DP 1094444) or with multi-storey parking structures. TEF recommended that parking be monitored over time, as enrolments increase.

Manoeuvring

During the assessment of the DA, the Applicant was requested to address internal circulation of the carpark to enable vehicles to circulate in a forward manner. The Applicant has advised that they do not intend to install or utilise boom gates at the entries to the northern and southern carpark however the design adopted makes provision for the possible installation of boom gates/s at a future date should this measure ever be required. Signage is proposed to reduce the number of movements in and out of parking modules and negate the need for others to circulate through each parking module.

Whilst the Applicant's approach and comments are noted, it is considered that the carpark design proposes unnecessary "blind aisle" facilities which require vehicles to perform a reversing manoeuvre to turn around. Due to the anticipated peak loading associated with the land use and the provision of the 'minimum' parking numbers, concern is raised that there is significant potential for entering vehicles to block exiting vehicles due to poor circulation and queuing back into the public road network. An appropriate condition is recommended to address this on-site operational concern.

Furthermore, considering the adjacent shopping centre and school peak times may coincide with the university, there is the potential for queues to back up along Ellis Parade to the Major

Innes Road intersection. The following condition is recommended in this regard by requiring the landowner to do one of or a combination of the below options:

a) to redesign the internal layout to address the cause,
b) construct an alternative access to relieve pressure on Ellis Parade (for example via the CSU Stage 2 land to the south onto Major Innes Road),
c) provide a left-turn lane for southbound traffic within Major Innes Road.

The development proposes the use of the rear access road at the eastern side of the main building for truck deliveries. It is noted that the provision of additional area for turning of longer vehicles may be necessary, or staging of deliveries to occur outside of peak student traffic times, to avoid delays and queuing caused by trucks reversing into or out of the service area. However, due to the location of the service area queuing is unlikely to impact the operation of public road network.

Pedestrians

Pedestrian and cycleway links are appropriate subject to being upgraded from the proposed university to the nearby Base Hospital precinct in the vicinity of Wrights Road and Highfields Circuit, as well as the regional bike route along the Oxley Highway, especially in the context of relieving vehicular demand through John Oxley Drive and Major Innes Road, and encouraging sustainable transport modes in this developing centre. Part of the education provided by the CSU campus is likely to use the medical facilities and expertise available at the hospital at opening and in the future. The Applicant has acknowledged this infrastructure being appropriate for the facility and as such an appropriate condition is recommended.

The main bus route servicing the university will be along Major Innes Road. An existing bus bay on the west side of Major Innes Road will be adequate for outbound (to town) bus trips. However no bus bay currently exists on the east side for inbound (from town) trips. The Applicant has proposed to construct a bay opposite Forest Grove to the south of Ellis Parade, which is a suitable location. An appropriate condition is recommended to ensure provision of a bus bay with a Roads Act (s138) application to be submitted to Council.

The existing concrete footpath along Major Innes Road will serve to link the bus bays to the development. However, Ellis Parade currently has no footpath and will be the point at which pedestrian and bicycle traffic concentrates from the north and the south toward the university, aside from any users going through the adjacent shopping centre land. In an effort to address this need, a condition is recommended to require a 2.5m wide footpath to be constructed along Ellis Parade, as shown on the proposed plans.

The kerb and gutter along the south side of Ellis Parade is currently a layback (type SE) kerb, which will enable vehicles to park along the verge. Aside from the obstruction of the pedestrian footpath, this could also cause significant traffic congestion during peak times as vehicles manoeuvre directly from the traffic lane to park, or to leave. Similar issues exist along the frontage roads of nearby schools. In this regard, a condition is recommended that a kerb to be reconstructed as an upright barrier (type SA) kerb, or bollards be provided at suitable spacing to prevent vehicle parking on pedestrian paths.

The DA also involves construction of a direct pedestrian link from the university buildings to the existing shopping centre. The approved DA 2009 - 134 (as modified) for the shopping centre has incorporated this requirement.

Utilities

A utilities investigation was prepared by ARUP consultants. Satisfactory arrangements are in place for telecommunications and electricity infrastructure to the site.

Water Supply Connection

Council records show that there is an existing 150mm PVC water main that runs parallel to the southern side of Ellis Parade. There are existing 20mm sealed water services to Lots 2 and 3.

Final water service sizing for the proposed development will need to be determined by a hydraulic consultant to suit the domestic, commercial and industrial components of the development site as a whole, as well as addressing fire service and individual & zone backflow protection requirements. With laboratories proposed on the site, the containment (boundary) backflow protection is to be a reduced pressure zone device.

Sewer Connection

The plans are satisfactory from a sewer perspective and indicate the necessity for a private sewer pumping station and rising main to the receiving manhole. The invert level of the sewer dead end located at the South West corner of the site requires the necessity for a private pump station. An appropriate condition is recommended.

Stormwater

A stormwater management report prepared by Taylor Thompson Whitting (TTW) has been submitted which addresses drainage and flooding issued associated with the site, existing and proposed drainage infrastructure and the Water Sensitive Urban Design (WSUD) principles to be adopted to improve the quality for water leaving the site.

Stormwater shall be designed in accordance with Council's AUSPEC (D5 & D7) standards. Conditions of consent reflect these requirements.

A condition has been recommended to address both of the following issues:

a) Existing Lots 2 and 3 DP 1178043 (the site of the proposed Stage 1 campus) are inter-dependent with regard to parking credits and services such as stormwater drainage, and will need to be consolidated as one lot.
b) Additionally, the stormwater runoff from this development is proposed to be detained in a bio-retention basin situated on Lot 8 DP 1094444 to the south, to achieve water quality outcomes and limit peak outflows to pre-development levels. This basin and associated pipe work will need to be enclosed by a legal easement to drain water benefitting the upstream development, in case the land is ever sold by the applicant. Alternatively Lot 8 can be consolidated with Lots 2 and 3.

The location and capacity of the bio-retention / detention basin were assessed and approved under early works DA 2014/119.

Heritage

Following a site inspection (and a search of Council records), no known items of Aboriginal or European heritage significance exist on the property. No adverse impacts are anticipated.

Other land resources

No adverse impacts anticipated. The site is primarily within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

Soils

The majority of bulk earthworks and benching required on the site has been approved under the previous approved early works DA2014 - 119. No significant additional cut and fill will be required under this Development Application.

The proposed development will be unlikely to have any adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction.

Air and microclimate

The construction and operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management conditions are recommended.

Flora and fauna

Construction of the proposed development will require removal/clearing of vegetation previously approved under the early works DA2014 - 119. A total of 37 trees will be removed including 21 primary koala food trees and 11 hollow bearing trees. SLR Consulting, as part of DA 2014 - 119, recommended the following recommended mitigation measures including the following:

- Preparation and implementation of a hollow bearing tree protocol.
- Retention of recruitment trees in line with the requirements of DCP 2013
- Preparation of a detailed Vegetation Management Plan for Stage 1 area.
- The removal of hollow bearing trees is to be offset by the retention of compensatory recruitment trees including within the Crown Road reserve provided at a rate of two(2) for one(1) for trees that scored 8-12. Nesting boxes will also be installed (within adjoining retained trees) with a number and type of nest boxes to match those to be removed as part of the proposal.
- The planting of koala, squirrel glider and grey-headed flying fox food tree resources and linking habitats in the eastern portion of the Stage 2 area (south Lot 8) and Crown Road Reserve

The proposal includes additional landscaping inclusive of additional 30 koala food trees to be planted within the site to that proposed under DA 2014 - 119.

The proposal is considered to therefore be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. Section 5A of the Act is considered to be satisfied.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. Standard student and office wastes expected which will be managed via Council's waste management system or where required, by private contractor.

No adverse impacts anticipated. A standard precautionary site construction management condition recommended.

Energy and water efficiency

The proposal includes measures to address energy efficiency including orientation to maximise natural light, solar access and natural ventilation and will be required to comply with the requirements of Section J of the Building Code of Australia.

The proposal also incorporates measures to harvest rainwater from the building roof.

No adverse impacts are anticipated.

Noise and vibration

A Noise Impact Assessment Report prepared by ARUP has been submitted which considers the following potential noise sources on both the nearby residents and future students/faculty:

- Construction noise;
- Road traffic noise;
- Mechanical and electrical plant/equipment noise;
- Carpark noise;
- Waste collection noise;
- Pedestrian noise

A detailed construction noise and vibration management plan is proposed to be developed following a construction noise assessment once more precise construction activity information becomes available and will apply noise control measures outlined in AS2436 (1981) *Guide of practice for noise and vibration control on construction and open sites - part 1: Noise* and also OEH's *Interim Construction Noise Guideline*.

A detailed design guidance for the control of mechanical services noise is proposed to be provided by the project acoustic consultants at the detailed design stage however ARUP Report indicates that preliminary calculations suggest that noise control design elements will be required to meet the NSW Industrial Noise Policy Project Specific Noise Level (refer to S.4.3). Mechanical plant may also require vibration isolation as well as noise control.

Any potential road traffic noise from vehicles will also require noise insulation performance of the building façade and glazing to ensure there is no adverse impact on CSU building occupants. Likely road traffic noise from the proposed development upon existing residents within the locality is considered to be insignificant.

Noise from carparks will be controlled by traffic speed, location of access roads and by controlling driver behaviour (ie. leave quietly signs and instructions). A 1.8m lapped and capped timber fence along the full length of the northern boundary is recommended to be constructed as a condition of consent which will assist with any potential noise and amenity impacts to neighbouring properties to the north and in response to a submission received.

Waste collection noise is to be controlled by limiting the hours of service to day times. A condition is recommended in this regard.

Pedestrian noise intrusion into the university building is not likely to be significant. Pedestrian noise intrusion into the adjoining homes will be controlled by behaviour control and/or modification (ie. instruction to leave quietly and/or signs).

CSU building and room acoustics: The project shall develop appropriate absorptive and diffusive acoustic surface treatments to comply with the reverberation time targets.

Where appropriate, conditions of consent have been recommended to address noise.

Bushfire

The site is identified as being bushfire prone.

In accordance with Section 100B - *Rural Fires Act 1997* - the application proposes an educational establishment which is deemed a *special fire protection purpose.*

The Applicant has submitted a bushfire report prepared by Australian Bushfire Protection Planners which has been forwarded to the NSW Rural Fire Service (RFS) for concurrence under the Rural Fires Act. The RFS have assessed the development and issued a Bushfire Safety Authority subject to conditions which form part of the recommended conditions of consent.

Safety, security and crime prevention

A Crime Risk assessment report prepared by Harris Crime Prevention Services has been submitted. The report has assessed and made recommendations in relation to the main aspects of Crime Prevention Through Environmental Design principles including addressing boundaries, perimeter and building facades, entry and internal circulation, carparking, lighting, landscaping, signage, lifts, lobbies, stairwells, corridors, waste storage/collection.

Taking into consideration of the recommendations in the Harris Crime Prevention Services report, the proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area.

Social impacts in the locality

In accordance with Council's Social Impact Assessment Policy, a Social Impact Comment (SIC) has been prepared by JBA consultants. The SIC report addresses the likely impacts of the development on the local area and community, consultation with key stakeholders, including directly affected neighbours and details the positive and negative aspects of the proposal and how negative impacts will be mitigated.

Overall the proposed development is detailed to have a significant positive impact on the socio-economic environment of the Port Macquarie-Hastings region. More specifically the SIC report provides satisfactory justification in regards to social impacts as follows:

- Existing transport options are adequate for the incoming student population;
- There is sufficient accommodation in the region to meet the demand of future students noting that many already reside in the Port Macquarie area; and
- The increase in number of students will not exceed the capacity of existing social infrastructure and the new campus is located close to existing food, beverage and other retail services.

The Applicant has detailed that feedback from the program of consultation undertaken prior to lodgement of the DA identified a number of concerns relating to parking/access/transport; noise and tree removal have all been considered in the final detailed proposal and Statement of Environmental Effects as submitted. No specific conditions are recommended in this regard.

Economic impact in the locality

The new regional university campus will expand additional education opportunities within the region, therefore increasing long and short term employment opportunities and supporting the local economy.

The university is anticipated to employ up to 74 equivalent full time staff.

No adverse economic impacts within the broader Port Macquarie-Hastings locality are likely. Likely positive impacts can be attributed to the construction and operation of the development.

Site design and internal design

The proposed development design responds to the site attributes and will fit into the locality in a satisfactory manner taking into consideration of the planning controls applying to the site. No adverse impacts are likely in this regard.

Construction

No potential adverse impacts identified to neighbouring properties with the construction of the proposal. Standard construction mitigation measures are recommended as a condition of consent approval.

Cumulative impacts

The proposed development is not expected to have any identifiable adverse cumulative impacts on the natural or built environment.

The proposal is likely to have significant positive social and economic impacts within the Port Macquarie-Hastings region and further abroad. The campus infrastructure will provide for continued education courses beyond a registered student population and the presence of a high quality university. Any future expansion of the university will be assessed on its own merit.

(c) The suitability of the site for the development:

The proposal will fit into the locality and the site attributes are conducive to the proposed university development.

Site constraints of bushfire risk and traffic have been adequately addressed and appropriate conditions of consent recommended.

(d) Any submissions made in accordance with this Act or the Regulations:

Four written submissions have been received with three raising concerns with the proposal following completion of the required neighbour consultation and advertising of the application.

Key issues raised in the submissions received and comments in response to these issues are provided as follows:

<u>Submission Issue/Summary</u>

- The DAs do not sufficiently recognise the existing limitations to the capacity of the future function of the Oxley Highway/John Oxley Drive/Wrights Road intersection that have been identified by independent traffic investigations undertaken by Council.
- The DAs do not sufficiently identify the ultimate impacts of the traffic generated by a university campus for 5000 students on the future function of the Oxley Highway/John Oxley Drive/Roger Road intersection as well as other intersections within the John Oxley Drive precinct.
- There have been several reports to Council (as recently as November and December 2013) which have clearly documented Council's concerns with respect to the limitations to the capacity of the Oxley Highway/John Oxley Drive/Wrights Road intersection. There appears to be quite a significant difference between the results of the independent traffic study undertaken by SMEC behalf of Council and the Traffic and Parking Study prepared by TEF Consulting for the CSU development applications.

- PMQ seeks Council's commitment to applying a consistent and equitable approach to the assessment of traffic impacts generated by proposed developments within the John Oxley Drive and Lake Innes Peninsula precincts. Such an approach will facilitate the establishment of an equitable funding arrangement for future upgrades of roads in the short, medium and long-term.
- Clarification should be provided of the difference between the Traffic and Parking Study undertaken as part of the DA and the independent Traffic Studies undertaken on behalf of Council.
- The traffic assessment component of the DA is deficient in that it does not consider the development of the stated campus to cater for 5000 students over the next 16 years. Given the likely significant upgrades required to nearby road infrastructure it is appropriate that consideration should be given to road infrastructure works required in the short, medium and long terms.
- The DA confirms that the DA cannot be refused except with the approval for of the Minister for Planning and the consent authority cannot impose conditions of consent without the applicant's agreement. This is a similar situation to that which applied to the development application for the recent expansion of the Port Macquarie Base Hospital. The development application prepared for the 60% (12,000m2) increase in the floor area of the Hospital to ultimately employ 300 additional staff with a single entry/exit point concluded there would be no impact on the local road system and so no contribution towards the upgrade of the surrounding road system was warranted. The subsequent independent traffic modelling undertaken on behalf of Council has subsequently shown the assessment included in that DA to be very optimistic at best and most likely erroneous in its assessment of the impact of the expansion of the Base Hospital on the Oxley Highway/Wrights Road/John Oxley Drive intersection. One of the impacts of this type of outcome is that the cost burden of undertaking the future road upgrades required fall on either the existing community or subsequent traffic generating development (in inequitable proportions). We seek Council's commitment to ensure that a similar outcome does not occur with respect to the development of the CSU campus to ultimately cater for 5000 students by 2030.
- The SEE states that the development is designed to accommodate up to 70 Equivalent Full Time Student Load (EFTSL) and 72 Full Time Equivalent Staff (FTE).The EFTSL and the FTE are then used to calculate the traffic impacts of the proposed development. The SEE also states that the campus will contain 336 car spaces and will operate 24 hours a day. It is also noted that the capital cost of the proposed development is just under $30 million. It is difficult to reconcile the investment of $30 million towards the creation of a university campus that only caters for 770 EFTSL. This equates to almost $40,000 per student. It is also difficult to reconcile the construction of 336 car spaces to cater for 770 EFTSL and 72 FTE. This represents 0.4 car spaces for every equivalent full time student or staff member at the proposed campus. It is not clear what the definition of an EFTSL is and how many EFTSLs will be ultimately contained within the future population of 5,000 students. As the EFTSL has been used to determine the traffic volumes generated the assessment of this DA should include clarification of what an EFTSL is and how it relates to the stated ultimate population of 5,000 students. If the ultimate population of the Campus is 5,000 EFTSL the total investment at $40,000 per student is $194 million. Application of 0.39 car paces per student will result in almost 2000 car space being provided. If the ultimate actual population of 5,000 represents a smaller number of EFTSL, (which is expected) the actual student population represented by the subject DAs should be stated to allow a more complete understanding of the actual impacts of the proposed student population. In summary, the overall capital investment and the number of car spaces proposed to be provided suggest a capacity for a larger student population than the stated 770 EFTSL.

Planning Comment/Response

The Applicant has provided additional details during the assessment of the DA (post exhibition) of the following are key responses:

- The future function of the Oxley Highway/John Oxley Drive/Wrights Road intersection has been considered based on the information available (provided by PMHC) at the time of the preparation of the traffic and parking report for DA 2014/120 (TEF report). The latest available data from SMEC (2013) report was used as a base case scenario: forecast background growth of traffic on the road network for 2023. Some specific developments, not yet approved by Council, were excluded from consideration due to the uncertainty of their status.
- The information about the possible future student population in the order of 5,000 as well as other student numbers for possible development stages were only preliminary and were used to gauge the effects of various development scenarios for further consideration of CSU options. The only student population adopted for the development purposes was 700 to 770 as stated in the DA for Stage 1. Any future expansion of the Port Macquarie Campus may never occur. This will depend on many factors, including the actual demand for student places and financial considerations. It is therefore unreasonable to request an assessment to be carried out for any other development scale than that stated in the DA submission.
- EFTSL stands for Equivalent Full-Time Student Load. It is a measure of the study load, for a year, of a student undertaking a course of study on a full-time basis. Some students undertake more courses, some undertake less than the fulltime load, but generally EFTSL represents the number of students on the roll, averaged to full-time students in terms of the number of courses. Of course, not all of these students are on site at any one time due to class timetables and also due to their study mode (distance education students are on site only during the examination period). However, EFTSL is the best available predictor of the student numbers. For the purpose of the parking demand and traffic generation estimation, however, TEF undertook studies to establish an empirical connection between EFTSL and the actual peak number of students present on site. The results of these studies were provided in the TEF report for two comparable CSU Campuses. The results indicate that the actual peak number of students is approximately half of the EFTSL number. Further, not all students and not all staff drive. Car usage rates were applied to student and staff presence levels to calculate the likely parking demand.

Noting the above and with proposed conditions of consent, traffic impacts are considered to be acceptable and not sufficient grounds to recommend refusal of the application.

Refer also to more detailed comments regarding traffic and parking earlier in this report.

Submission Issue/Summary

- Fully support the arrival of CSU and congratulate Council for the assistance and support given. It is presumed that the traffic management, retail expansion and other considerations will be covered before the campus reaches its' full potential.

Planning Comment/Response

The support provided is noted.

Submission Issue/Summary

- Request sound proof fencing between the proposed Northern car park area and a residence in Kingfisher Road, which backs onto the car park. Request also that the sound

proof fence be of similar height and substance to that of the one on the new Oxley Highway between Base Hospital and Lindfield Park Road Port Macquarie.
- Request that speed humps and boom gates be installed in the Northern car park so as to deter unwanted persons doing burn outs and causing unwanted noise etc.
- Request that 'No Parking' Signs be erected outside of 14 and 16 Kingfisher Road, Port Macquarie because of dangerous road conditions ie. continual traffic flow coming from the tip everyday over the crest in road will cause accidents and its already a blind spot for us, so parked cars would make it even worse.

Planning Comment/Response

The Applicant has provided additional details during the assessment of the DA (post exhibition):

- It is considered unnecessary to provide a noise barrier to this boundary line to achieve suitable noise levels at the residential receivers along this line
- To further discourage misuse of the car park, a provision for boom gates and 24 hour surveillance has been made
- It is recommended that speed bumps are not provided within the car park as these cause additional noise due to cars accelerating away and as they go over the bump.

Whilst the additional details have been provided, it is recommended that a minimum 1.8m height lapped and capped timber fence be constructed for the full length of the northern boundary to reduce potential for amenity impacts with the 24 hour operation including headlight glare and to continue the established existing fencing constructed to the west adjoining the carpark for the Lake Innes Village shopping centre.

Submission Issue/Summary

1. With the development of the new Charles Sturt University in Innes Lake - a number of the children in the Major Innes Drive / Forest Grove / Sherana Place area have expressed concern about the tree lined creek which has been fenced-off within the proposed construction site. This creek is quite close to the road into Coles car park. According to the local youth, this creek has native turtles living in there. They've rescued quite a few from the road when the rains have been quite heavy. Concern that the creek won't be ruined and turned into a car park. As children are so technically apt, they have many photographs and videos of this creek and are determined to protect it.

Planning Comment/Response

It is assumed that that the creek referred to is the section of Crown Road reserve running between Lots 2/3 and 8. The only works proposed within the road reserve are stormwater infrastructure to connect to the stormwater detention basin proposed within the north-eastern corner of Lot 8. The proposed works will not adversely impact on the ecological value of the Crown Road reserve section. Note that the initial stormwater works were approved under DA2014 - 119.

(e) The Public Interest:

The proposed development will be in the wider public interest with provision of a new University in the Port Macquarie-Hastings Local Government area. In particular the proposal will be able to provide an additional tertiary education service to meet the needs of the broader Mid North Coast Region.

The proposed development satisfies relevant planning controls including the satisfactory exception to building height standard and is in the wider public interest.

Ecologically Sustainable Development and Precautionary Principle

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require that a balance needs to be struck between the man-made development and the need to retain the natural vegetation. Based on the assessment provided in this report and with recommended conditions of consent including acknowledging the previous approved development under DA 2014 - 119, it is considered an appropriate balance has been achieved.

Mid North Coast Regional Strategy 2006-31

The proposal is consistent with the Strategy by facilitating the delivery of a University Campus. The delivery of the CSU Campus accords with the Strategy's economic, development and employment growth actions.

Port Macquarie-Hastings Urban Growth Management Strategy

The proposed university development is consistent with this Strategy by carrying out works for stimulating economic development and employment opportunities and not adversely impacting the existing environmental values of the Local Government Area.

John Oxley Drive Precinct Structure Plan

The site is located with proximity to this Structure Plan area. The proposal for the university will not affect the delivery of development in the Structure Plan.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- The development is considered commercial and involves intensification or expansion of the site and the proposed value of works is $100,000 or greater. Section 94A contributions apply to the proposal is this regard.
- Development contributions will be required towards augmentation of town water supply and head works and sewer services headworks under Section 64 of the Local Government Act 1993.

Refer to recommended contribution conditions.

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment of the application have been considered and where relevant, conditions have been recommended to manage the impacts attributed to these issues.

The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. Consequently, it is

recommended that the application be approved, subject to the recommended conditions of consent.