

JOINT REGIONAL PLANNING PANEL (Northern Region)

JRPP No	2015NTH024
DA Number	2015 - 0834
Local Government Area	Port Macquarie-Hastings
Proposed Development	Staged Multi Dwelling Housing (45 x 3 bedroom dwellings) with a combination of Torrens and Strata Title Subdivision
Street Address	Lot 11 DP 828300, Blackbutt Drive, Wauchope
Applicant/Owner	Blue Print Planning Consultants
Number of Submissions	No submissions received
Regional Development Criteria (Schedule 4A of the Act)	Development has a capital investment value of more than \$5 million and Port Macquarie-Hastings Council is the owner of the land to which the development is proposed to be carried out.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy No. 44 - Koala Habitat Protection • State Environmental Planning Policy No. 55 - Remediation of Land • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011 • Port Macquarie-Hastings Local Environmental Plan 2011 • Development Control Plan 2013
List all documents submitted with this report for the panel's consideration	<ol style="list-style-type: none"> 1. Developer contributions estimate 2. Recommended consent conditions 3. Bushfire Safety Authority 4. Plans 5. Statement of Environmental Effects 6. Koala Habitat Assessment 7. Bushfire Assessment 8. Road Traffic Noise Assessment 9. Traffic Impact Assessment 10. Land Contamination Validation Report 11. Ground Water Monitoring Results
Recommendation	That DA 2015/0834 for Staged Multi Dwelling Housing (45 x 3 bedroom dwellings) with a combination of Torrens and Strata Title Subdivision at Lot 11 DP 828300, Blackbutt Drive, Wauchope, be determined by granting consent

	subject to the recommended conditions.
Report by	Ben Roberts - Development Assessment Planner
Report date	2 February 2016

Executive summary

This report considers a development application for the staged construction of multi dwelling housing (45 x 3 bedroom dwellings) with a combination of Torrens and Strata title subdivision.

The proposal is integrated development requiring a bushfire safety authority from NSW Rural Fire Service.

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

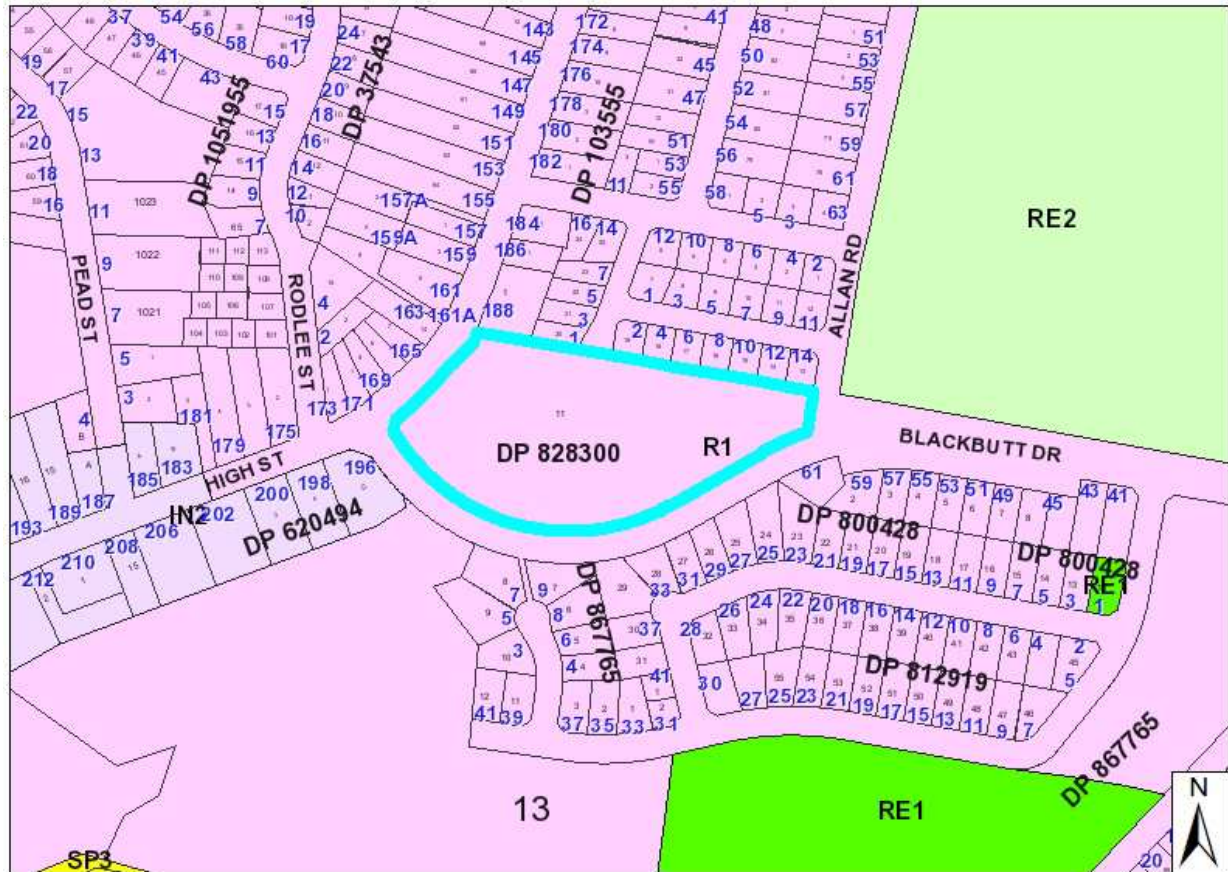
Following exhibition of the application, no submissions were received.

1. BACKGROUND

Existing sites features and surrounding development

The site has an area of 2.485 hectares.

The site is zoned R1 General Residential in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan:



The site is located on the corner of Blackbutt Drive and High Street, Wauchope. The land is vacant with some scattered trees. The site gently slopes away to the south.

Adjoining the site to the north is an existing service station and established residential dwellings. Adjoining the site to the east is established residential development and golf course. Adjoining the site to the west are established residential dwellings. The residential development adjoining the site is predominately single storey in construction. Adjoining the site to the south west are established industrial land uses along High Street.

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



2. DESCRIPTION OF DEVELOPMENT

The proposal relates to the staged construction of multi dwelling housing comprising:

- 45 x 3 bedroom dwellings
- 2 lot Torrens title subdivision
- 11 lot Strata title subdivision
- 35 lot Strata title subdivision

The proposed staging is as follows:

- Stage 1: Construction of units 1 to 11 on proposed Lot 1, Two lot Torrens title subdivision, Strata subdivision of Units 1 to 11.
- Stage 2: Construction of units 1 to 10 on proposed Lot 2, Strata subdivision of units 1 to 10.
- Stage 3: Construction of units 11 to 23 on proposed Lot 2, Strata subdivision of units 11 to 23.
- Stage 4: Construction of units 24 to 34 on proposed Lot 2, Strata subdivision of units 24 to 34.

The development is also 'integrated development' as it involves subdivision of bushfire prone land that could lawfully be used for residential purposes and requires a Bushfire Safety Authority under section 100B of the Rural Fires Act 1997.

Application Chronology

- 16 November 2015 - Development application lodged.
- 24 November 2015 - Integrated referral sent to NSW Rural Fire Service (RFS).

- 27 November - 10 December 2015 - Public exhibition via neighbour notification.
- 15 January 2016 - Bushfire Safety Authority received from NSW RFS.

3. STATUTORY ASSESSMENT

The provisions (where applicable) of:

(a)(i) Any environmental planning instrument

State Environmental Planning Policy No. 44 - Koala Habitat Protection

With reference to clauses 6 and 7, the subject land is greater than 1 hectare and therefore the provisions of this policy must be considered.

The application was accompanied by a Koala habitat assessment undertaken by Flora and Fauna Consulting dated 16 November 2015.

The assessment recorded fifty-five (55) trees on the site. Four (4) of these trees were identified as schedule 2 Koala food trees *Eucalyptus microcorys* (Tallowwood). These trees comprise approximately 7% of the total number of trees and do not satisfy the criteria for potential Koala habitat for the purpose of this policy. Potential Koala habitat is defined as follows:

“potential koala habitat means areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component”.

In accordance with step 1 of this policy the site does not constitute potential Koala habitat and no further investigation of this policy is necessary. Refer to further comments under flora and fauna heading later within this report for recommended compensatory replanting for trees to be removed.

State Environmental Planning Policy No.55 – Remediation of Land

The site is listed on Council's potential contaminated land register based on an historic timber treatment yard that occurred on the site.

The site was investigated and remediated in accordance with a remedial action plan in 2013 to address soil based lead contamination identified from the former timber treatment yard use. Following remediation works a land contamination validation report was undertaken by Mitchell Hanlon Consulting Pty Ltd dated 3 July 2013. A copy of this report supported this application. The report concluded that the site had been successfully remediated and is suitable for the intended residential use.

The site also adjoins a service station to the north with underground fuel storage tanks. Visual tests of the ground water monitoring wells adjacent to the service station including down slope have been clear for a several years. A copy of the monitoring inspections accompanied the application. The monitoring results indicate no signs of leakage from the underground petroleum storage tanks onto the site.

In accordance with clause 7 of this policy the land is considered suitable for the proposed residential development.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

BASIX certificates have been submitted demonstrating that the proposal will comply with the requirements of the SEPP. It is recommended that a condition be imposed to ensure that the commitments are incorporated into the development and certified at Occupation Certificate stage.

State Environmental Planning Policy (Infrastructure) 2007

High street is a classified road. Clause 101 of this policy provides that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

No vehicular access is proposed to the classified road. Three (3) vehicular accesses are proposed to Blackbutt Drive. Refer to development engineering comments under transport, traffic and access heading later within the report. In summary the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the proposed development. A road traffic noise impact assessment accompanied the application which provides recommended measures to dwelling construction to ameliorate road traffic noise arising from the classified road. Refer to detailed comment under noise heading later within report and recommended conditions.

Clause 104 traffic generating development. The proposal is for 45 dwellings and does not trigger referral to the RMS in accordance with schedule 3 of this policy.

State Environmental Planning Policy (State and Regional Development) 2011

Clause 20 regional development. The proposed development is defined as regional development consistent with schedule 4A to the Act. In particular the proposed development has a capital investment value of more than \$5 million and Port Macquarie-Hastings Council is the owner of the land to which the development is to be carried out.

Clause 21 the Northern Joint Regional Planning Panel is to exercise the consent authority function.

Port Macquarie-Hastings Local Environmental Plan 2011

The proposal is consistent with the LEP having regard to the following:

- Clause 2.2, the subject site is zoned R1 General Residential. In accordance with clause 2.3(1) and the R1 zone landuse table, the proposed development for multi dwelling housing and subdivision is a permissible landuse with consent.

The objectives of the R1 zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

In accordance with Clause 2.3(2), the proposal is consistent with the zone objectives having regard to the following:

- the proposal is a permissible landuse;
- the proposal will provide for the housing needs of the community;
- the proposal will provide for a variety of housing density.

Clause 4.1(4A) , the minimum lot sizes do not apply to the proposal as it is characterised as multi dwelling housing development.

Clause 4.3, the maximum overall height of the buildings above ground level (existing) is approximately 6m (single storey) which complies with the height limit of 8.5m applying to the site.

Clause 4.4, the floor space ratio of the proposal is 0.18:1 which complies with the maximum 0.65:1 floor space ratio applying to the site.

Clause 5.9, trees listed in Development Control Plan 2013 are proposed to be removed. Refer to detailed comments under flora and fauna heading later within the report.

Clause 5.10, heritage. The site does not contain or adjoin any known heritage items or sites of significance.

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 development. Provision of electricity will be subject to obtaining satisfactory arrangements certification prior to the issue of a Subdivision Certificate as recommended by a condition of consent.

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

No draft instruments apply.

(iii) Any Development Control Plan in place:

Port Macquarie-Hastings Development Control Plan 2013

DCP 2013: Dwellings, Dual occupancies, Dwelling houses, Multi dwelling houses & Ancillary development

DCP Objective	Development Provisions	Proposed	Complies
3.2.2.2	Articulation zone: <ul style="list-style-type: none"> Min. 3m front setback Not extend above eave gutter line 	No elements proposed within the articulation zone.	N/A
	Front setback (Residential not R5 zone): <ul style="list-style-type: none"> Min. 6.0m classified road Min. 4.5m local road Min. 3.0m secondary road Min. 2.0m Laneway 	Setbacks to High Street frontage >6m for dwellings. Setbacks to Blackbutt Drive frontage >4.5m for dwellings.	Yes
3.2.2.3	Garage minimum 5.5m front setback and garage door recessed behind building line at least 1m or eaves/overhangs provided	Garages either not facing street frontage and units which are the garage is located behind front building line.	Yes
	6m max. width of garage door/s and 50% max. width of building	Garage door widths <6m in width and less than 50% of building width.	Yes
	Driveway crossover 1/3 max. of site frontage and max. 5.0m width	3 driveways crossovers which are less than 1/3 of site frontage. Driveways less than 5m in width.	Yes
3.2.2.4	4m min. rear setback. Variation subject to site analysis and provision of private open space	6.080m rear setback to northern boundary.	Yes
3.2.2.5	Side setbacks: <ul style="list-style-type: none"> Ground floor min. 0.9m First floors & above min. 3m setback, unless demonstrated that adjoining property primary living areas & POS unaffected. Building wall set in and out every 12m by 0.5m. 	Single Storey only. 6.2m west side setback to High Street. 5.955m south side setback to Blackbutt Drive. 5.8m setback to east side setback to Blackbutt Drive. Adequate building Adequate articulation is provided in building walls.	Yes
3.2.2.6	35m ² min. private open space area including a useable 4x4m min. area which has 5% max. grade and is directly accessible	Each units contain >35m ² of directly accessible private open space with a minimum dimension of 4mx4m and maximum	Yes

	from a ground floor living area.	grade of 5%.	
3.2.2.7	<p>Front fences:</p> <ul style="list-style-type: none"> • If solid 1.2m max height and front setback 1.0m with landscaping • 3x3m min. splay for corner sites • Fences >1.2m to be 1.8m max. height for 50% or 6.0m max. length of street frontage with 25% openings • 0.9x0.9m splays adjoining driveway entrances (Fig 3.3 of AS2890.1 2004 overrides this standard by requiring a min 2.5x2m splay for driveway entrances) See David Troemel for info. 	<p>Front fencing to High Street and Blackbutt Drive frontages is maximum of 1.8m high of open style (>25% transparency) construction and landscape recessed.</p> <p>Suitable splays provided at driveways entrances.</p> <p>A feature wall/fence is proposed on a setback splay to the intersection of Blackbutt Drive and High Street. The area forward of the fence will contain retained site trees where suitable and be landscaped to create a streetscape feature.</p>	Yes
3.2.2.10	<p>Privacy:</p> <ul style="list-style-type: none"> • Direct views between living areas of adjacent dwellings screened when within 9m radius of any part of window of adjacent dwelling and within 12m of private open space areas of adjacent dwellings. ie. 1.8m fence or privacy screening which has 25% max. openings and is permanently fixed • Privacy screen required if floor level > 1m height, window side/rear setback (other than bedroom) is less than 3m and sill height less than 1.5m 	<p>Direct views between living areas will be adequately screened by boundary fences and courtyard fencing between units.</p>	Yes

	<ul style="list-style-type: none"> Privacy screens provided to balconies/verandas etc which have <3m side/rear setback and floor level height >1m 		
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DCP 2013: General Provisions			
DCP Objective	Development Provisions	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	Adequate casual surveillance available.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill of approximately maximum 1.5m outside the perimeter of the external walls. Cut capable of being retained. Engineering details to be supplied with construction certificate.	No but considered acceptable.
2.3.3.2	1m max. height retaining walls along road frontages	No retaining wall proposed along road frontage.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	Noted
	Driveway crossing/s minimal in number and width including maximising street parking	3 driveway crossings proposed, maximising street parking.	Yes
2.5.3.3	Off-street parking in accordance with Table 2.5.1: <ul style="list-style-type: none"> Medium density – 1.5 spaces per 3bed dwelling + 1 visitor space per 4 units 	67.5 spaces plus 11.25 visitor spaces required for units. Total of 79 spaces required. Each unit provided with a single or double garage. 69 spaces proposed. 16 designated visitor spaces proposed. Total of 85 spaces proposed.	Yes
2.5.3.7	Visitor parking to be easily accessible	Visitor parking suitably located and accessible.	Yes

	Stacked parking permitted for medium density where visitor parking and 5.5m length achieved	No stacked parking proposed	Yes
	Parking in accordance with AS 2890.1	Suitable condition applied requiring parking to comply with standards.	Yes
2.5.3.9	Bicycle and motorcycle parking considered and designed generally in accordance with the principles of AS2890.3	Suitable areas available for bicycle parking.	Yes
2.5.3.11	Section 94 contributions	Refer to main body of report.	Noted
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	Detailed landscaping plan to be provided at CC stage. Recommended condition.	Acceptable
2.5.3.14	Sealed driveway surfaces unless justified	Driveways to be concrete seal.	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 capable of meeting standards. Details to be provided with section 138 application.	Acceptable
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	Details of stormwater management to be provided with section 68 plans.	Capable of being managed.
	Vehicle washing facilities – grassed area etc available.	None indicated	Acceptable

(iia) 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.

(iv) Any matters prescribed by the Regulations:

No matters prescribed by the regulations apply.

(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, social and economic impacts in the locality:

Context & Setting

The site has a general street frontage orientation to Blackbutt Drive.

The proposal is considered to be consistent with other residential development in the locality and adequately addresses planning controls for the area.

The proposal does not have a significant adverse impact on existing view sharing.

The proposal does not have significant adverse lighting impacts.

There are no significant adverse privacy impacts. Adequate building separation and privacy screening is proposed.

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.

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

Roads, Traffic and Access

The development site has road frontage to Blackbutt Drive along its southern boundary, is bounded by the Oxley Highway (High St) along its western side, and has a short frontage to Hollis Street on its northern boundary. A public footway (dedicated road reserve) links Allan Road to Blackbutt Drive along the eastern side of the site.

The Oxley Highway (High Street within the Wauchope township) is an RMS State classified road, and vehicular access is not supported directly to this road as there is alternative frontage.

Blackbutt Drive is a local Council road and has an AUS-SPEC classification of 'Urban Distributor'. A 2013 traffic count by Council indicates that around 1500 vehicle trips are made along Blackbutt Drive per day. The road formation is sealed and approximately 10m wide with an on-road bike lane on each shoulder. The kerb and gutter are of upright (SA) type and there is no provision for on-street parking. Bus stop J-poles are situated with approximately 500m spacing along the south side of Blackbutt Drive (the Busways route is currently westbound only along this road, circulating back to the Wauchope town centre).

The existing bus stops are within the AUS-SPEC guideline of 400m walking distance to service the site. The proposed 45 units will generate substantial pedestrian traffic on the local road network and residents will rely to a significant extent on access to bus services. Council's policy for multi-residential developments is that footpath is to be provided along the road frontages of the site, and the developer has proposed to construct this. A condition of consent has been recommended to require that footpath be extended to connect to a bus stop on the south side of Blackbutt Drive. A pedestrian refuge between lanes has been explicitly required due to the 60 km/h speed zone and the daily traffic count being in the vicinity of 1500 trips, with a higher proportion of heavy vehicles.

No vehicular access is proposed to Hollis Street to the north, as Council comments in a pre-lodgment meeting indicated that Hollis Street would require upgrade to cater for the proposed development. A private gate will be available for pedestrians to access this road.

There is currently no street lighting along the segment of Blackbutt Drive adjoining the site. The proportional increase in pedestrian traffic associated with the development is not sufficient to warrant provision of lighting along this road. However, the additional pedestrians and vehicles will use the Oxley Hwy intersection with Blackbutt Drive for direct access to the highway and as the location of the nearest bus stop. Therefore a requirement to provide lighting to the intersection in accordance with current Australian Standards is warranted. This is to be provided prior to the Torrens subdivision of the land into two lots (i.e. when the lot/s can be sold separately).

Traffic and Transport

A Traffic Impact Assessment (TIA) authored by Streetwise Road Safety & Traffic Services Pty Ltd has been provided with the application.

Based on a 2012 traffic study by AECOM for Council, the TIA estimates that the Oxley Hwy has a volume of 6,000 trips per day (600 per peak hour), and Blackbutt Drive has 2,900 (290 per peak hour).

The TIA provides traffic count data from Thursday 5 November 2015. On this day the weather was generally scattered rain. Figure 3.1 shows 692 vehicle trips on the Oxley Hwy during the AM peak hour, and 118 on Blackbutt Drive. Data for the PM peak hour is inconsistent within the report, ranging from 1,216 trips on Oxley Hwy (Figure 3.1) to 497 trips (Figure 3.2), and 240 (Fig 3.1) to 143 (Fig 3.2) on Blackbutt Drive.

Further counts available from Council records provide a single day count (both lanes) for Oxley Highway of around 4,400 (2012) and Blackbutt Drive of 1,300 (2013).

The proposal is for 45 dwellings in a low-mid density living arrangement. The RMS *Guide to Traffic Generating Developments* (2002) provides that such a dwelling typically generates 6.5 trips per day on average, or 0.65 during peak hours, as stated in the TIA. This equates to 293 trips per day, or 30 trips during peak hours.

The existing traffic counts are relevant in determining the capacity of existing intersections such as at the Oxley Hwy / Blackbutt Drive (High St) T-intersection. AUSTROADS *Guide to Road Design Part 4A* sets out warrants in Figure 4.9 for intersection capacity. Regardless of which existing traffic count above is used, the contribution by this development to the number of turning movements is considered not to trigger a need for upgrade of the turning lanes. Council has previously identified this intersection for upgrade as part of the Major Roads Contributions plan for the area.

Roads and Maritime Services (RMS)

Council is the local road authority for all works within the Oxley Hwy, with details to be provided under a Roads Act (s138) application, which must then be referred to the RMS for their concurrence. The RMS may trigger additional requirements for works within the road reserve, such as a Works Authorisation Deed (WAD), as the road is a State road with regional connectivity.

Site Frontage & Access

Vehicle access to the site is proposed through common driveways with direct frontage to Blackbutt Drive. Access shall comply with Council's AUS-SPEC and Australian Standards, and conditions have been imposed to reflect these requirements.

Parking and Manoeuvring

Each unit has been provided with a double garage, plus 16 visitor parking spaces have been provided on-site in the common property. Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions have been imposed to reflect these requirements.

Stormwater

The site naturally grades towards the Blackbutt Drive frontage and is currently serviced via Council's stormwater pits along parts of that frontage.

A stormwater management plan is to be prepared with the construction plans in accordance with the requirements of AUS-SPEC D5 and D7 and the requirements of relevant Australian Standards, detailing how all stormwater and surface water discharging from the proposed development site, buildings and works will be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of Council. The plans are to be lodged under a s68 and/or Subdivision Construction Certificate application (for the private and subdivision works respectively) prior to approval of a CC for the buildings. Suitable consent conditions have been recommended.

The legal point of discharge for the proposed development is defined as a direct connection to Council's piped stormwater pits within Blackbutt Drive. Extension of Council's piping is required to service the frontage of the site and the developer has proposed to do this.

Relocation or extension of the existing stormwater pipe within the site, which drains Council roads to the north, has also been proposed and is required. AUS-SPEC D5 sets out the minimum dimensions required for drainage easements. An overland flow path for major storms is also to be provided (over the driveway as proposed).

In addition, the stormwater management plan submitted with the development application must address the following specific issues at a minimum:

- a. On-site stormwater detention facilities (or similar) must be incorporated into the design to ensure that the post development site stormwater discharge rate does not exceed the pre development discharge rate for all storm events up to 100 year ARI. Detention facilities shall not be located within any inter-allotment drainage easements. Note that when determining pre-development conditions, the existing site shall be assumed to be 'green field' / undeveloped as per AUS-SPEC D5.
- b. The plan must include any existing components of the drainage system that are to be retained and show how runoff from the proposed/new components of the development will be integrated into the existing system.
- c. The stormwater management plan must be prepared and certified by a qualified practicing Civil Engineer or Registered Surveyor.
- d. A condition of consent has been recommended to create a positive covenant over the land that will bind the proprietor to maintain the onsite detention,

stormwater quality improvement devices (SQIDs), and overland flowpaths, and giving Council special power to intervene at the owner's cost if these systems fall into disrepair or are not functioning.

Water Supply

Council records indicate that the proposed development site does not currently have a water service. There is a 300mm PVC water main on the same side of High Street, a 200mm non compatible PVC water main on opposite side of Blackbutt Drive and a 100mm AC water main at the south end of Hollis Street. Each unit will require the provision of an easily accessible internal metered water service with a separate master meter for each Torrens titled lot located at the boundary. The 100mm AC water main in Hollis Street may require replacing in DICL.

Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as fire service and backflow protection requirements. Refer to relevant conditions of consent.

Sewer Supply

Council records indicate that the development site is connected to sewer via a sideline junction to the sewer main that runs along the northern property boundary. A sewer line extension along the southern boundary is required to service proposed Lot 2 with an individual sewer junction. The proposed sewer reticulation strategy is acceptable given that adequate grades are possible in accordance with Port Macquarie-Hastings Council Gravity Sewerage Main Grading Chart. The engineering plans are also required to certify that no additional loads will be placed on existing or proposed sewer infrastructure.

The existing 200 PVC sewer rising main is to be accurately plotted on the engineering plans and adequate clearances are to be provided. A separate sewer connection to Councils main is required for each Torrens Title lot. A manhole will also be required at the high end of the line as it will be more than 40m long. If the main is subject to future extension an end of line terminal shaft (poo pit) will be required. As the dwellings are to be Strata Titled, a private sewer system can be adopted, connected from a single manhole junction or each dwelling can be connected directly to Council main with individual connections.

As the development will exceed 2ET discharge, sewer connection is to be made from a manhole. The hydraulic designer is to confer with Council sewer section prior to submitting sewer design plans.

Detailed plans will be required to be submitted for assessment with the S.68 application. Refer to relevant conditions of consent.

Utilities

Telecommunication and electricity services are available to the site. Evidence of satisfactory arrangements with the relevant utility authorities for provision to each proposed lot will be required prior to Subdivision Certificate approval

Water

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

Soils

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 & Micro-climate

The construction and/or 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 condition recommended.

Flora & Fauna

The majority of the land within the site has been cleared of native vegetation and maintained as managed grassland. There are two small patches of remnant trees at the eastern and western margins of the site. The proposed development has nominated the removal of 32 trees on the site in order to accommodate the residential development.

The Koala habitat assessment undertaken by FloraFauna Consulting dated 16 November recommends the removal of trees be mitigated by providing replacement native tree plantings at a ratio of one (1) for each tree removed and that such replacements be provided in suitable open space areas within the development site.

Conditions have been recommend requiring compensatory offset plantings of 29 native trees, comprising at least 8 Tallwoods in suitable locations within the development site.

Having regard to the highly disturbed nature of the site and recommended offset plantings the proposed development will 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. A private waste collection service is proposed and will be required given the limited site frontage to accommodate wheelie bins for each unit. No adverse impacts anticipated. Suitable conditions recommended.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of BASIX. No adverse impacts anticipated.

Noise & Vibration

Road traffic noise from High Street and Blackbutt Drive is a source of potential noise impact to the proposed residential development. The application was accompanied by a Traffic Noise Impact Assessment undertaken by SLR Consulting dated 18 November 2015 which evaluated the noise impacts. The report concluded that subject to specific building construction categories being achieved for nominated units then internal noise levels would meet acceptable standards. The recommended consent conditions require a restriction be applied to title advising of specific building construction requirements. Subject to these measures being applied there is not considered to be any significant adverse road traffic noise impacts to the residential receivers.

Natural Hazards

The site is identified as bushfire prone land. A bushfire assessment report prepared by Flora and Fauna Consulting dated 16 November 2015 accompanied the application. The application and bushfire assessment was referred to NSW Rural Fire Service under section 100B of the Rural Fires Act 1997.

The commissioner issued a bushfire safety authority dated 15 January 2016 comprising a series of conditions. These conditions are recommended to form part of the development consent conditions.

Safety, Security & Crime Prevention

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. The increase in housing density will improve natural surveillance within the locality and openings from each dwelling overlook common and private areas.

Social Impact in the Locality

Given the nature of the proposed development and its' location the proposal is unlikely to result in any adverse social impacts.

Economic Impact in the Locality

No adverse impacts. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow impacts such as expenditure in the area.

Site Design and Internal Design

The proposed development design satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

Construction

No potential adverse impacts identified to neighbouring properties with the construction of the proposal.

Cumulative Impacts

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

(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 development.

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

No written submissions have been received following public exhibition of the application.

(e) The Public Interest:

The proposed development satisfies relevant planning controls and is unlikely to impact on the wider public interest.

4. DEVELOPMENT CONTRIBUTIONS APPLICABLE

- Development contributions will be required towards augmentation of town water supply and sewerage system head works under Section 64 of the Local Government Act 1993.
- Development contributions will be required under Section 94 of the Environmental Planning and Assessment Act 1979 towards roads, open space, community cultural services, emergency services and administration buildings.

Refer to draft contribution schedule attached to this report and recommended conditions.

5. CONCLUSION

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

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. It is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.