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Statement of Environmental Effects for Staged 204 Lot Community Title Subdivision Including the construction of 203 Single Storey Dwelling Houses, Community Facilities & Open Accessways Part Lot 3115 DP1233800, Boambee Street, Harrington

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Disclaimer

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Executive Summary

This application has been prepared on behalf of Roche Group Pty Ltd for a staged 204 Lot Community Title Subdivision including the construction of 203 single storey dwelling houses, community facilities and Open Accessways on part of Lot 3115 DP1233800 which is located within Harrington Waters Estate, Harrington, New South Wales.

Roche Group have extensive experience in delivering housing and associated commercial and recreational facilities in Harrington. The size of the site they have been developing is substantial and will ultimately provide 1,100 home sites. Through involvement in the Harrington community they have accumulated a good understanding of its needs, including appropriate housing types. This includes empty nesters, retirees and seniors (aged 70-84) which form a large proportion (47.9%) of the local Harrington population.

Roche Group are seeking to deliver housing diversity which will cater for all age groups. This application seeks to achieve this by providing housing and associated facilities with the following characteristics:

- Compact single storey housing (typically downsizing for older people), with ease of accessibility;
- Small courtyard gardens, with minimal maintenance demands;
- Higher density housing than conventional housing, offering affordability without compromising amenity;
- Community facilities; and
- Close proximity to services, including shopping.

It is submitted that the proposed development meets the above characteristics.

The following key points are made with respect to the proposed development:

- The proposal seeks consent to create 204 community title lots and 203 single storey dwelling houses, community facilities and Open Accessways;
- The subject site forms part of the land that had previously been granted consent for a Subdivision but, is yet to be developed (110 lots);
- The internal streets servicing the proposed community title subdivision will be within Open Accessways and will be maintained

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by the Community Association;

- The development will not be gated and the proposed Open Accessways will permit unimpeded access for all infrastructure/service providers, including private waste contractors;
- Streets within the development will comprise carriageway widths of 7m wide within a 17 metre reserve (Open Accessway) for the main east-west street, and carriageway widths of 5.5m wide within a 15 metre reserve (Open Accessway) for all other streets. The 5.5m wide carriageway width is considered appropriate for the reasons described in detail in **Section 4.7.4**, and in summary below:
 - Based on our experience with other similar projects, road users do not feel comfortable parallel parking on two-way roads up to 5.5 metres in width;
 - The unimpeded nature of the carriageways (i.e. no parallel parking on either side) is considered advantageous for garbage truck, removalist and emergency services circulation;
 - Appropriate levels of visitor parking have been provided within the development; and
 - The housing proposed is particularly suitable for retired people, small families and couples without children (i.e. small households). Such housing can be expected to attract lower visitor parking numbers than would be the case in a conventional (lower density) housing estate.
- Vacuum sewer and water services are provided within the proposed Open Accessways, and in service allocations developed in close consultation with Mid Coast Water (MCW);
- The water service and vacuum sewer have been designed to MCW's standard for conventional residential subdivisions (i.e. in accordance with the Water Services Association of Australia (WSSA) Design Guidelines);
- Measures are proposed within the development to ensure privacy between existing and future residents is maintained. These are described in detail in **Section 4.7.6** and in summary as follows:
 - Retention of existing boundary fencing;
 - Construction of new 1.8m high fencing where boundary fencing does not exist;
 - Provision of a continuous 1.5m wide planting zone along the boundary (and within the community association lot), for the purpose of establishing a continuous hedge (using *Syzygium australe* (Lilly Pilly));
 - Housing setback of a minimum 2.5m to external property

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boundaries; and

- Construction of single storey dwellings throughout the community title subdivision.
- The flat terrain of the site ensures ease of access for all future residents;
- The proposed dwellings have been designed so as to satisfy the relevant energy efficiency standards, including Basix; and
- Communal facilities including a club house, swimming pool, gymnasium, tennis court and landscape gardens have been provided within a communal area of approximately 2,350m² for use by all future residents.

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Section 1

Introduction

1.1 Introduction

This Statement of Environmental Effects has been prepared on behalf of Roche Group Pty Ltd for a staged 204 Lot Community Title Subdivision including the construction of 203 single storey dwelling houses, community facilities and Open Accessways on part of Lot 3115 DP1233800.

The development proposal seeks consent for the following works:

- Community title subdivision creating 204 separate allotments (each dwelling will be located on an individual lot (being Lots 2 through to 204, with a typical size of 228m² or 247m², refer to **Exhibit 4 – Proposed Plan of Subdivision**) with the roads (Open Accessways) and community facilities located on proposed Lot 1;
- 203 Single Storey Dwelling Houses, consisting of 7 different housing types as described below:
 - 68 x Type A: Single storey, 3 bedroom, 165m² floor area (including double garage);
 - 23 x Type B: Single storey, 3 bedroom, 163m² floor area (including double garage);
 - 17 x Type C: Single storey, 3 bedroom, 163m² floor area (including double garage);
 - 20 x Type D: Single storey, 3 bedroom, 164m² floor area (including double garage);
 - 42 x Type E: Single storey, 2 bedroom duplex, 166m² floor area each (including double garage);
 - 31 x Type F: Single storey, 2 bedroom, 145m² floor area (including single garage); and
 - 2 x Custom: Single storey, 2 bedroom, 150m² floor area (including single garage).
- Construction of the subdivision in 9 separate stages (refer **Section 3.1.2** and **Exhibit 5**);

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- Community facilities including:
 - Club House containing games room, function room and kitchen;
 - Gymnasium;
 - Swimming pool; and
 - Tennis court.
- Central east-west street with 7m carriageway width within 17m wide reserve (Open Accessway);
- Local streets, typically being 5.5m carriageway width within a 15m wide reserve (Open Accessway);
- 63 visitor parking spaces distributed throughout the development (plus 331 garage spaces);
- Utility services including water, vacuum sewer, electricity and telecommunications;
- Stormwater management system including infiltration for water quality control; and
- Street tree plantings consisting of:
 - *Elaeocarpus eumundii* (Quondong);
 - *Trisaniopsis 'lusciuos'* (Water Gum);
 - *Cupaniopsis anacardoides* (Tuckeroo); and
 - *Syzygium australe* (Brush Cherry).

That portion of Lot 3115 DP1233800 which is the subject of this application is located between Rocklily Street in the west and Mary Ann Court in the east, Boambee Street in the north and Beach Street in the south. The subject land forms part of the Harrington Waters Estate. The site forms part of the land that had previously been granted consent for subdivision but, yet to be developed (110 lots).

During the preparation of this application, discussions were undertaken with Council with respect to the overall layout and design of the development. This included a formal pre-lodgement meeting on 13 December 2016.

Pre-lodgement discussions were also undertaken with Mid Coast Water (MCW, now part of Mid Coast Council) with respect to the provision,

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maintenance and ownership of the water supply and vacuum sewerage services. During discussions undertaken with MCW it was noted that MCW maintain standard easement terms in a Memorandum registered with Land & Property Information. These are proposed to be utilised within the subject Community Title scheme.

Consultation with Council and MCW is discussed in greater detail in **Section's 2.5 and 2.6.**

This Statement provides all relevant information necessary for Council to assess and determine the proposal, including:

- A description of the subject site and surrounding locality;
- A description of the proposed development;
- An examination of relevant planning legislation and design principles and the response of the development proposal to such provisions and principles;
- An environmental assessment of the development proposal, having regard to the relevant matters for consideration outlined under Section 79C of the *Environmental Planning and Assessment Act, 1979* (as amended); and,
- Conclusion.

The relevant legislation considered in the preparation and assessment of the proposal includes:

- Greater Taree Local Environmental Plan 2010;
- Parts of the Manning Region Development Control Plan;
- State Environmental Planning Policy – 44: Koala Habitat Protection;
- State Environmental Planning Policy – 71: Coastal Protection; and
- Section 79C of the *Environmental Planning and Assessment Act, 2039.*

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Section 2

The Development Site

2.1 The Site

The site is identified as that part of Lot 3115 DP1233800 bound by Boambee Street, Mary Ann Court, Rocklily Street and Beach Streets, in Harrington. Lot 3115 currently has a total land area of 21.61ha. That part of the site which is the subject of this application has an area of 10.6ha.

The subject land forms part of the Harrington Waters Estate. The site was previously granted consent for 110 residential allotments under DA358/2009 (as modified).

The subject site is flat and has been filled to achieve the current landform. Existing levels over the site are indicated in the detailed survey plan included within **Appendix B**.

The site is not identified as flood prone land. The 1 in 100 year ARI flood level is identified as being RL 2.89m AHD. The site exhibits existing ground levels ranging from RL 2.4m AHD through to RL 4m AHD. Lower areas of the site generally correspond with the alignment of roads associated with DA358/2009.

The site is clear of vegetation other than managed grass.

2.2 Site Analysis

The attributes of that portion of the site which is the subject of this application, as well as the surrounding land uses, are identified on **Exhibits 1 and 3**. These features are as follows:

- The subject site is clear of vegetation other than managed grass;
- That part of the site which is the subject of this application has a land area of 10.6ha. The total land area of the site (Lot 3115 DP1233800) is 21.61ha (refer to the Deposited Plan included within **Appendix A**); and
- The subject site is bordered predominately by residential development of single storey construction.

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2.3 Zoning

The subject site is currently zoned R1 General Residential (R1 zone) under the provisions of the *Greater Taree Local Environmental Plan 2010*. 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.

Community Title Subdivision and dwelling houses are permissible with the consent of Council in the R1 zone.

The proposed Community Facilities (gymnasium and club house) are defined as Recreation Facility (Indoor) and are also permissible with consent in the R1 zone.

The proposed tennis court and swimming pool are ancillary features to the proposed development and are permissible with consent in the R1 zone.

2.4 Background / History

The subject site is part of the Harrington Waters Estate. The site forms part of the land that had previously been granted consent for subdivision but, yet to be developed (110 lots). Site filling works associated with this consent have been completed.

Roche Group have extensive experience in delivering housing and associated commercial and recreational facilities in Harrington. The land parcel they have been developing over many years is 172 hectares and is bounded by Crowdy Bay National Park, the township of Harrington and the Pacific Ocean. The land parcel will ultimately provide some 1,100 home sites. During the time they have been delivering housing in the area they have accumulated a good understanding of the needs of the community, including appropriate housing types.

An important consideration relating to the delivery of appropriate housing in Harrington is demographics. Of most significance in this regard is that the bulk of the population (47.9%) are empty nesters and retirees (aged 60 to 69) or seniors (aged 70 to 84). By comparison, in the Mid Coast Area generally these age groups account for significantly less (34%) of the population.

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Area: Crowdy - Harrington - Benchmark area: MidCoast Council area Comparison year: 2011 Gender: Persons reset

Age structure - Service age groups export reset

Crowdy - Harrington - Johns River - Total persons (Usual residence) NEW 2016 2011 Change

Service age group (years)	Number	%	MidCoast Council area %	Number	%	MidCoast Council area %	2011 to 2016
Babies and pre-schoolers (0 to 4)	88	2.5	4.6	118	4.2	5.2	-31
Primary schoolers (5 to 11)	171	4.9	7.6	199	7.0	8.1	-28
Secondary schoolers (12 to 17)	189	5.4	6.8	158	5.6	7.8	+30
Tertiary education and independence (18 to 24)	133	3.8	5.6	99	3.5	5.7	+34
Young workforce (25 to 34)	156	4.5	7.4	156	5.5	7.2	-2
Parents and homebuilders (35 to 49)	448	12.8	15.0	409	14.3	17.0	+39
Older workers and pre-retirees (50 to 59)	525	15.1	14.5	444	15.5	14.7	+81
Empty nesters and retirees (60 to 69)	908	26.0	17.7	859	23.1	16.1	+249
Seniors (70 to 84)	764	21.9	17.0	541	18.9	15.0	+223
Elderly aged (85 and over)	104	3.0	3.8	70	2.5	3.2	+34
Total	3,488	100.0	100.0	2,859	100.0	100.0	+629

Table 2.4: (above) Crowdy Head-Harrington Age Structure (source: MidCoast Council, Community Profile, <http://profile.id.com.au/midcoast/building-approvals?WebID=110>, Date accessed: 23 August 2017)

Roche Group seeks to deliver housing diversity to provide for all age groups. As part of this diversity they seek to, via this developmental proposal, provide for smaller footprint affordable housing and associated services that meets the needs of retirees and empty nesters, and small households. This housing and associated services typically has the following characteristics:

- Compact single storey housing (typically downsizing for older people), with ease of accessibility;
- Small courtyard gardens, with minimal maintenance demands;
- Higher density housing than conventional housing, offering affordability without compromising amenity;
- Community facilities; and
- Close proximity to services, including shopping.

It is submitted that the proposed development meets the above characteristics.

It is also submitted that this housing type will complement the already diverse housing range provided at Harrington, including conventional homes, townhouses and villas.

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2.5 Consultation with Council

A pre-lodgement meeting was undertaken with Council on 13 December 2016 with respect to the proposed development. A copy of the Council's meeting minutes are included in full in **Appendix F** and addressed in **Table 2.5** below:

TABLE 2.5 – PRE-LODGEEMENT MINUTES SUMMARY (13 DECEMBER 2016)	
Council Comment	Response
David Tooby outlined the proposal as a possible 18-20dwelling/ha integrated housing development or a multi-dwelling housing development with a Community Title or Strata Title Subdivision.	<p>The proposed development is largely consistent with the plan submitted to Council as a part of the pre-lodgement application. The preliminary concept at that time was for a community title development, comprising 195 dwellings/lots with a club house, tennis court, swimming pool and gymnasium.</p> <p>The only material change from that time to the subject proposal is an increase in the number of dwellings from 195 to 203.</p>
Graham Shultz advised that roads would be required to be constructed to Auspec standards as local streets (with possible concrete construction) and that the developer would need to indemnify JR Richards as the waste collection contractor to access the site.	<p>Council's key concern on this point was the durability of the roads and the ability of garbage trucks to service the proposed development.</p> <p>The roads proposed as a part of this application will be maintained inside Open Accessways. The roads are proposed to be designed and constructed in accordance with the provisions of Auspec. In this regard, the roads are proposed to be designed and constructed to local street design standards with respect to:</p> <ul style="list-style-type: none"> - Longitudinal gradings; - Cross falls; - Pavement surface; and - Pavement design traffic Equivalent Standard Axels (ESA). <p>Auspec also provides standards for road reserve and carriageway widths for public roads. Relevant road categories for the subject development, if the roads were public roads, are Access Place (5.5m to 7m carriageway width and 13.5m to 15m road reserve width) and local street (8m carriageway width and 16m road reserve width). The development proposes reserve and carriageway widths that are appropriate for the servicing and amenity of the development. This is discussed in detail in Section 4.7.4.</p>
Roshan Khadka advised re flooding. Site has AHD of 2.89m. As 'infill' development the site is discounted the 0.5m freeboard. Habitable floor level could therefore have a minimum level of 2.9m. It was noted that the majority of the site is flood-free and that no flood assessment would be required with an application.	<p>The site has been the subject of filling as a part of works associated with DA358/2009. As a result, the subject site has existing site levels between RL2.4m AHD and RL 4m AHD. Refer to the detailed survey of the site contained within Appendix B.</p> <p>Some minor earthworks and site regrading will be required as a part of the proposed development with</p>

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	<p>respect to the installation and construction of the necessary infrastructure, roads and dwellings.</p> <p>It is considered that all of the proposed dwellings can be constructed so as to achieve a minimum finished floor level of RL 2.9m AHD.</p>
David Tooby /Tony Thorne advised that areas for stormwater quality treatment are proposed within the site: bio-retention basins, swales etc. Roshan advised that due to proximity to the Manning River that no detention would be required. A Concept Plan for water quality will be required at DA lodgement.	<p>The initial design included bio-retention basins. However, on further examination, it has been found that conventional stormwater treatment as previously proposed is not possible owing to site levels. The proposed stormwater treatment now incorporates infiltration in 'soakaway pits', making use of the high permeability of the existing soils.</p> <p>A Stormwater Management Plan is included within Appendix I.</p>
The presentation of the development to Harrington Road was discussed. The clubhouse and facilities and dwellings immediately adjacent to Harrington Road are to provide a quality presentation. The boundary fencing arrangement, i.e. hedge, street tree planting etc. were discussed.	<p>The application includes a vegetated buffer to Beach Street so as to ensure appropriate visual presentation.</p> <p>The architectural plan set included within Appendix C includes a section detailing the proposed Beach Street edge treatment.</p>
Petula Bowden expressed concern with the concept of a 'gated community' and the exclusivity of the area, lack of connectivity to the surrounding development and public access.	<p>The proposal is not a 'gated community'. Access to the proposed dwellings will be via the Open Accessway road network with the main entry from Caledonia Street.</p> <p>The proposal also includes an emergency egress to the north via Gwendoline Place which connects to Boambee Street.</p> <p>A footpath connection is proposed from proposed Road 2 to Beach Street.</p> <p>Two (2) separate footpath connections are also proposed from proposed Road 10 to Boambee Street in the north. These footpaths are considered to provide an appropriate level of connectivity to the surrounding development.</p>

2.6 Consultation with Mid Coast Water

Detailed discussions were undertaken with Mid Coast Water (MCW, now part of Mid Coast Council) during the preparation of this application. This included discussions with respect to the provision, maintenance and ownership of water supply and vacuum sewer.

It is proposed that each community lot will be separately serviced and metered for water supply and vacuum sewer services and that reticulation infrastructure will be owned and maintained by MCW, as the water authority, in a similar manner to a conventional residential subdivision.

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With respect to servicing of the individual lots, MCW's Craig Wilkinson confirmed that MCW will accept the reading of individual meters and issuing of individual invoices within a community title development, subject to:

- The reticulated water supply system being designed to MCW's standard for conventional residential subdivisions (i.e. generally in accordance with the Water Services Association of Australia (WSSA) Design Guidelines). MCW would then assume ownership and maintenance of the infrastructure;
- Appropriate easements in accordance with MCW's standard terms being created; and
- Access being available at all times (i.e. Open Accessway and no gated community).

Further detailed liaison has also been undertaken with MCW relating to the appropriate allocation of services within streets. A detailed street section with services allocation has been prepared and is shown below (**Figure 2.6**). Service network plans are also provided in **Appendix C**. In email correspondence between King & Campbell and MCW on 25 July 2017, MCW confirmed that they were comfortable with the services allocation layout indicated in **Figure 2.6** below.

It is noted that MCW maintain standard easement terms in a Memorandum registered with Land & Property Information and that these could be utilised within a Community Title scheme.

Given the above, it is considered that the proposed development complies with all of the above MCW provisions and is therefore suitable for ownership and maintenance by MCW, including individual metering and billing.

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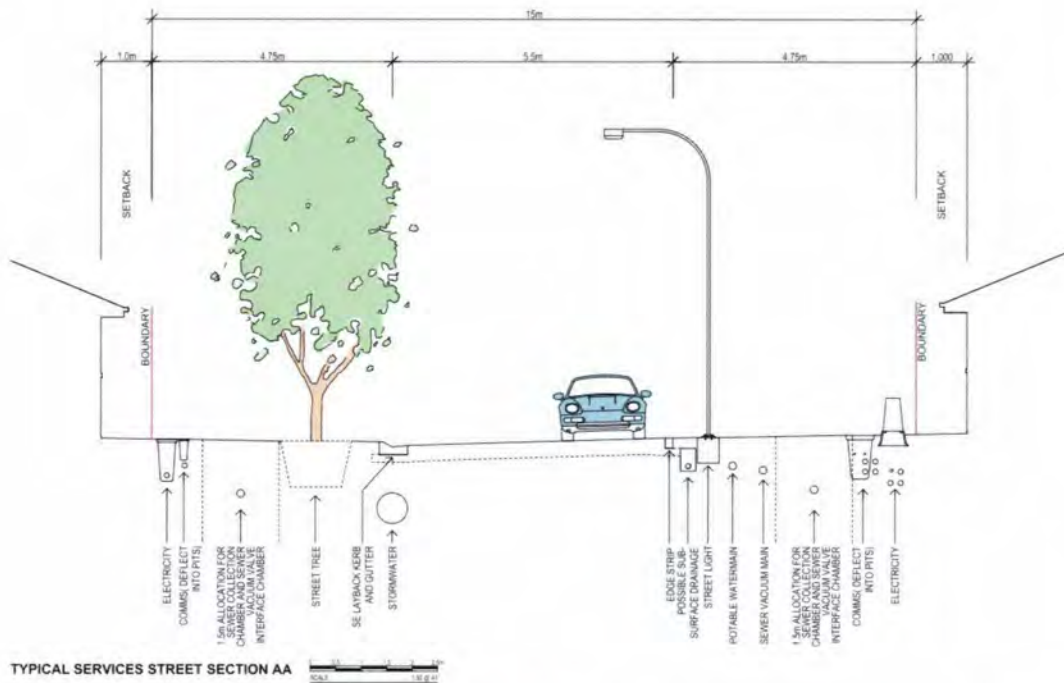


Figure 2.6: (Above) The typical services layout for the proposed community title estate shown in section. The full detailed plan is included within the architectural plan set attached as **Appendix C**.

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Section 3

The Development Proposal

3.1 The Proposal

The development seeks consent for the following works:

- Community title subdivision creating 204 separate allotments (each dwelling will be located on an individual lot (being Lots 2 through 204 with a typical size of 228m² or 247m², refer to **Exhibit 4 – Proposed Plan of Subdivision**) with the roads (Open Accessways) and community facilities located on proposed Lot 1;
- 203 Single Storey Dwelling Houses, consisting of 7 different housing types as described below:
 - 68 x Type A: Single storey, 3 bedroom, 165m² floor area (including double garage);
 - 23 x Type B: Single storey, 3 bedroom, 163m² floor area (including double garage);
 - 17 x Type C: Single storey, 3 bedroom, 163m² floor area (including double garage);
 - 20 x Type D: Single storey, 3 bedroom, 164m² floor area (including double garage);
 - 42 x Type E: Single storey, 2 bedroom duplex, 166m² floor area each (including double garage);
 - 31 x Type F: Single storey, 2 bedroom, 145m² floor area (including single garage); and
 - 2 x Custom: Single storey, 2 bedroom, 150m² floor area (including single garage).
- Construction in 9 separate stages (refer to **Exhibit 5 and Section 3.1.2**);
- Community facilities including:
 - Club House containing games room, function room and kitchen;
 - Gymnasium;

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- Swimming pool; and
- Tennis court.
- A central east-west street consisting of 7m carriageway width within 17m wide reserve (Open Accessway);
- Local streets, typically being 5.5m carriageway width within a 15m wide reserve (Open Accessway);
- 63 visitor parking spaces distributed throughout the development (plus 331 garage spaces);
- Utility services including water, vacuum sewer, electricity and telecommunications;
- Stormwater management system including infiltration facilities for water quality control; and
- Landscaping throughout, including street tree plantings consisting of:
 - *Elaeocarpus eumundii* (Quondong);
 - *Tristaniopsis 'luscious'* (Water Gum);
 - *Cupaniopsis anacardoides* (Tuckeroo); and
 - *Syzygium australe* (Brush Cherry).

3.1.1 Ownership, Management and Access

Please refer to **Appendix G** for a Draft Open Space Accessway Plan and Draft Services Plan. These plans will form part of a Draft Management Plan for the proposed community title development, as required by Council as a part of the Subdivision Certificate Application.

The full details of ownership, management and access, pertaining to the proposed community title development, will be provided as part of the Draft Management Plan.

For the purposes of Council's assessment of this development application, we provide the following broad proposals relating to the ownership and management of, and access to, assets in the development:

- That the development will not be gated and all roads will be Open Accessways with easements for access benefiting the relevant service authorities and waste contractor (e.g. JR Richards);

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- Vacuum sewer and water services are contained within Open Accessways and within service allocations developed in close consultation with Mid Coast Water (refer **Section 2.6**). These services are proposed to be owned and maintained by MCW, including metering and billing. These arrangements are proposed to be secured through easements using MCW standard terms;
- All other utility services, including electrical and telecommunications services, are proposed to be contained within service allocations typical of local public streets and are proposed to be owned and maintained by the respective service providers. Unimpeded access to the development will be provided via standard easement requirements (Essential Energy have their terms registered with LPI through a memorandum);
- Street lights within the Open Accessways are proposed to be owned and maintained by the Community Association. In this regard, a separate meter at the entry of the development will be provided;
- Roads within the development will be:
 - Owned and maintained by the Community Association;
 - Constructed to comply with the Council's Auspec Standards outlined within Table D1.5 with respect to
 - Longitudinal gradings;
 - Cross falls;
 - Pavement surface; and
 - Pavement design traffic Equivalent Standard Axels (ESA).
- The club house, tennis court, gymnasium, pool and all associated paving and landscape works on proposed Lot 1 will be owned and managed by the Community Association;
- All proposed stormwater infrastructure will be owned and managed by the Community Association; and
- All street trees and landscape works within the site, including street trees and landscape works within Open Accessways, will be owned and maintained by the Community Association

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3.1.2 Staging

The Community Title Subdivision, dwelling houses and infrastructure are sought to be constructed in 9 separate stages as detailed in the Staging Plan, included as **Exhibit 4** and as outlined below.

It is noted that civil works will likely be undertaken in large stages (e.g. Stage 1 civil works may include Stage 1, 2 and 3 as illustrated in **Exhibit 5**). This will minimise on-going disturbance to adjoining residents.

- **Stage 1:** Creation of Lots 1 through 38 and construction of road 1 and a portion of road 2, community facilities including club house, swimming pool, gymnasium, tennis court and the construction of 37 dwellings upon Lots 2 through 38;
- **Stage 2:** Creation of Lots 39 through 61 including construction of 23 dwellings;
- **Stage 3:** Creation of Lots 62 through 82 including construction of 21 dwellings;
- **Stage 4:** Creation of Lots 83 through 101 including construction of 19 dwellings;
- **Stage 5:** Creation of Lots 102 through 120 including construction of 19 dwellings;
- **Stage 6:** Creation of Lots 121 through 140 including construction of 20 dwellings;
- **Stage 7:** Creation of Lots 141 through 163 including construction of 23 dwellings;
- **Stage 8:** Creation of Lots 164 through 182 including construction of 19 dwellings; and
- **Stage 9:** Creation of Lots 183 through 204 including construction of 22 dwellings.

Works will include the construction of temporary stormwater treatment and management measures to convey stormwater to the legal point of discharge. The detailed design of temporary measures will be documented as a part of the construction certificate phase.

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Section 4

Statutory Planning Controls

Mid Coast Council is the relevant consent authority for the determination of this development application. In determining the development proposal, the consent authority must take into consideration the following statutory provisions as prescribed under Section 79C of the Environmental Planning & Assessment Act 2039:

4.1 Environmental Planning & Assessment Act, 1979

This application is made under Part 4 'Development Assessment' of the *Environmental Planning & Assessment Act 1979* (the Act).

The proposal requires development consent under Part 4 of the Act and is required to address those matters outlined under Section 79C. These matters are addressed in the Table below and within the body of this report.

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Section 79C(1) "Matters for consideration"	Comments
(a)(i) Any environmental planning instrument	Refer to details addressing the relevant environmental planning instruments under Section 4 of this report.
(a)(ii) Any draft environmental planning instrument that is or has been placed on exhibition pursuant to Section 47(b) or 66(1)(b).	There are no draft environmental planning instruments relevant to the subject site or proposed development.
(a)(iii) Any DCP in force under Section 72.	Refer to details addressing the relevant sections of the Greater Taree Development Control Plan later in this report – Section 4.5 .
(a)(iiia) Any planning agreement or draft planning agreement under Section 93.	No planning agreement has been offered or entered into with respect to the subject site or proposed development.
(a)(iv) Any matters prescribed by the regulations.	New South Wales Coastal Policy 1997. The proposal is consistent with the objectives and strategic actions of this policy.
(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.	<p>The subject site has previously been granted consent for filling and residential subdivision. The subject proposal seeks consent for works within the footprint of the approved development and is considered unlikely to have any additional detrimental impact on the natural or built environment.</p> <p>The site is currently cleared of vegetation, comprising managed grass. No trees are required to be removed as a part of the proposed development.</p> <p>Some minor earthworks and site regrading will be required as a part of the proposed development with respect to the installation and construction of the necessary infrastructure, roads and dwellings.</p> <p>The proposed development shall positively contribute to the social and economic activity within the area during the construction phase as well as the increase in resident population.</p>
(c) The suitability of the site for the development.	The subject site has previously been granted consent for a residential subdivision. The proposed subdivision is contained within the same footprint. The site is therefore considered suitable for the proposed development.
(d) Any submissions made in accordance with this Act or the regulations.	These will result from the public exhibition of this report and will be considered by MCC in their assessment of the proposed development.
(e) The public interest	The proposal is considered to be in the best interest of the public.

4.2 Environmental Planning & Assessment Regulations, 2000

The subject application is made in accordance with the provisions of Clause 50 of the Regulations and includes the documents and forms required under Part 1 of Schedule 1.

4.3 State Environmental Planning Policies

The following State Environmental Planning Policies (SEPP's) apply to the subject site and proposed development:

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4.3.1 State Environmental Planning Policy No. 44 – Koala Habitat Protection

This policy applies to the Greater Taree LGA and the subject site given it has a total land area of greater than 1 hectare.

The portion of the site which is the subject of this application is currently clear of vegetation, comprising managed grass. The proposal does not seek to remove any trees and is therefore considered consistent with the provisions of this policy.

4.3.2 State Environmental Planning Policy No. 71 – Coastal Protection

The subject site is located within the Coastal zone due to its proximity to the Manning River.

The subject site has previously been granted consent for a residential subdivision. The proposal is located within the previously approved development footprint. The proposed development is therefore considered to be consistent with the provisions of Clause 8 of this policy for the following reasons:

- The proposal is considered consistent with the aims and objectives of the policy for the following reasons:
 - The proposal will not alter or impede any existing public access arrangements to or along the coastal foreshore;
 - Due to the filling of the land already completed limited works are likely to be required below the natural ground surface. The proposal is therefore not considered likely to detrimentally impact any Aboriginal cultural heritage or Aboriginal places (refer to **Section 4.8.3**).

An Aboriginal Heritage Information Management System (AHIMS) search was completed over the subject site and surrounding land (50 metre buffer). The search did not identify any Aboriginal Sites or places on or near the subject land. A copy of the search is included within **Appendix H**;

- The proposal is not considered likely to result in any detrimental visual impact;
- The subject site is separated from the coastal foreshore by existing urban development. The proposal is therefore not considered likely to impact any beach environs, beach amenity, native coastal vegetation, marine environment or rock platforms;

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and

- The proposed development is considered to be an ecologically sustainable development in accordance with the provisions of the *Protection of the Environment Administration Act 1991* for the following reasons:
 - The subject site comprises managed grass, there being no native vegetation; and
 - The development is proposed within a site previously approved for residential development.
- The proposal is not considered likely to impact any coastal processes or increase the likelihood of any coastal hazards;
- The proposal is not considered likely to increase the potential for conflict between land or water based activities.

Overall, it is considered that the proposal is consistent with the provisions of this policy.

4.4 Greater Taree Local Environmental Plan 2010

Under the provisions of the *Greater Taree Local Environmental Plan 2010* the subject site is zoned R1 General Residential (R1 Zone). The objectives of the R1 zone read 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.*

Subdivision, including Community Title Subdivision, and dwelling houses are permissible with the consent of Council in the R1 zone.

The proposed Community Facilities (gymnasium and club house) are defined as Recreation Facility (Indoor) and are also permissible with consent in the R1 zone.

The proposed tennis court and swimming pool are ancillary features to the proposed development and are permissible with consent in the R1 zone.

The following clauses within the *Greater Taree Local Environmental Plan 2010* are applicable to the proposal:

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TABLE 4.4.1 – GREATER TAREE LOCAL ENVIRONMENTAL PLAN 2010

PM-H LEP Clause	Comment
2.1 Land use zones	The subject site is zoned R1 General Residential. Community Title Subdivision, Dwelling Houses and Recreation Facilities (Indoor) are permissible with consent in the R1 zone subject to consent. The proposed swimming pool and tennis court are ancillary features to the proposed development and are permissible with consent.
2.6 Subdivision – consent requirements	This clause requires Development consent for subdivision.
4.1 Minimum subdivision lot size	The minimum Torrens title subdivision lot size applying to the land is identified as 450m ² . The proposal seeks consent for a Community Title subdivision and as per the provisions of sub-clause 4.1(4) this Clause do not apply to Community Title Subdivisions. The creation of allotments smaller than the minimum subdivision lot size is therefore permissible under a Community Title scheme.
4.1AA Minimum subdivision lot size for community title schemes	This clause does not apply to the R1 zone.
4.1A Subdivision of certain residential lots	Each Lot within the proposed subdivision shall be connected to a reticulated water and sewerage system.
4.3 Height of buildings	The maximum building height identified for the site is 8.5 metres. The proposed dwelling types are all single storey and are therefore compliant with this height restriction. The proposed club house and associated facilities do not exceed the maximum height restriction.
4.4 Floor space ratio	The maximum floor space ratio applying to the subject site is 0.6:1. The floor space ratio for each dwelling type is typically*: <ul style="list-style-type: none"> – Type A: 0.52:1; – Type B: 0.51:1; – Type C: 0.51:1; – Type D: 0.52:1; – Type E: 0.57:1; – Type F: 0.48:1; – Custom: <ul style="list-style-type: none"> Proposed Lot 2: 0.45:1; and Proposed Lot 3: 0.6:1.
5.5 Development within the coastal zone	The subject site is located within the coastal zone due to its proximity to the Manning River. The subject site is surrounded by urban development on all sides and is therefore not considered likely to detrimentally impact the public's access to the foreshore or detrimentally impact any coastal environ.
5.9 Preservation of trees or vegetation	The portion of the site which is the subject of this application is currently cleared land comprising managed grass. No trees are proposed to be removed as a part of this application.
7.1 Acid sulfate soils	The subject site is identified as containing Class 3 ASS. The site has been the subject of filling as a part of works associated with DA358/2009. As a result, the subject site has existing site levels between RL2.4m AHD and RL 4m AHD. The existing levels are understood to be approximately 1.5 metres higher than the natural ground surface. The existing site levels are indicated on the detailed survey of the site contained within Appendix B . Based on the existing site landform, it is considered that all of the proposed dwellings can be constructed so as to achieve a minimum finished floor level

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	of RL 2.9m AHD with minimal excavation required. Proposed infrastructure works will require minimal excavation work exceeding 1.5 metres below the existing (filled) ground surface. Should potential acid sulfate soils be encountered, an acid sulfate soils management plan will be prepared.
7.2 Flood planning	The portion of the site which is the subject of this application is not mapped as flood prone land.

4.5 Development Control Plan (Manning Region)

The following Parts of the Manning Region Development Control Plans (DCP's) apply to the subject site and proposed development.

The DCP does not contain provisions specific to Community Title subdivision. The provisions of the DCP primarily relate to Torrens title subdivision with frontage to public roads. The majority of the provisions therefore do not specifically apply to the proposed development.

The following comments are provided to demonstrate the proposals consistency with the objectives of the DCP.

4.5.1 DCP Part C – Subdivision Requirements

Part C of the DCP provides guidelines with respect to the subdivision of land and provides design principles and requirements which are addressed below:

General Design Principles

This section of the DCP requires consideration of all the natural and man-made constraints present on the site to ensure that the site's qualities suit the proposed development.

It is considered that the proposed development is suited to the qualities of the site for the following reasons:

- The site is not identified as being bushfire prone, does not have any known Aboriginal or European items of heritage significance and is not subject to soil stability or erosion hazards;
- The site is flat. The proposed development responds to the existing landform by providing single storey, slab on ground dwellings;
- The proposed development is considered to respond to the existing urban pattern by providing a lot and road layout which is consistent with the existing grid pattern;

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- The site is currently clear of vegetation and is not identified as having any special qualities or features;
- The proposed internal roads will be located within Open Accessways. Road Construction will be in accordance with the provisions of Auspec;
- The proposal includes landscape works to compliment the development and surrounding urban character;
- The interface between the proposed development and existing adjoining residential development has been carefully considered. These interfaces are detailed in the cross sections included within **Exhibit 6**; and
- All infrastructure necessary to service the proposed development can be provided.

The following sections address the general design principles in further detail.

Site Hazards

The site forms part of the land previously granted consent for residential allotments as a part of the Harrington Waters Estate. Issues relating to soil stability, flooding, erosion and bushfire were all considered as a part of that application. It is considered that the proposed development is unlikely to be detrimentally impacted by any of these environmental attributes.

Road Design and Construction

The roads proposed as a part of this application will be maintained inside Open Accessways. Road pavements will be designed and constructed in accordance with the provisions of Auspec.

In this regard, the proposed roads will be designed and constructed to local street design standards with respect to:

- Longitudinal gradings;
- Cross falls;
- Pavement surface; and
- Pavement design traffic Equivalent Standard Axels (ESA).

Auspec also provides standards for road reserve and carriageway widths for public roads. Relevant road categories for the subject development, if the roads were public roads, are:

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- Access Place (5.5m to 7m carriageway width and 13.5m to 15m road reserve width) and local street (8m carriageway width and 16m road reserve width).
- It is noted that the streets within the development are not public streets. Nevertheless, the development proposes reserve and carriageway widths that are appropriate for the servicing and amenity of the development. This is discussed in detail in **Section 4.7.4**.

A traffic engineering assessment was carried out with respect to the proposed development (refer **Section 4.7.2**). The assessment considered the adequacy of the existing road network to accommodate the additional traffic generation associated with the development. The assessment found that the traffic demand can be accommodated adequately within the existing road network.

Filling and Levelling

The subject site is relatively flat and has been the subject of filling to achieve the current topography. Existing levels over the site are indicated on the detailed survey plan attached within **Appendix B**.

The site is not identified as flood prone land. However, the 1 in 100 year ARI flood level is identified as being RL 2.89m AHD. The site has existing ground levels ranging from RL 2.4m AHD through to RL 4m AHD. Lower areas of the site generally correspond with the alignment of roads associated with DA358/2009.

Some minor earthworks and site regrading will be required as a part of the proposed development with respect to the installation and construction of the necessary infrastructure, roads and dwellings.

It is considered that all of the proposed dwellings can be constructed so as to achieve a minimum finished floor level of RL 2.9m AHD.

Services

The infrastructure required to service the proposed development has been investigated and is considered capable of being provided. Comments with respect to the necessary infrastructure services are included within **Section 4.7**.

Drainage

A stormwater management plan has been prepared in support of the proposal and measures are proposed to ensure the adequate drainage of the site. Refer to **Section 4.7.1** and **Appendix I**.

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Existing Development & Heritage

Existing dwellings or land which forms part of the Harrington Waters Estate border the site. The proposed subdivision layout is considered to be consistent with that previously approved and integrates appropriately with the surrounding grid road network pattern.

The site does not have any known items of heritage or archaeological significance.

Environmental Protection

The site is currently clear of vegetation and is not considered to have any special qualities or features.

Landscaping

The proposal includes vegetated buffers to the perimeter of the development so as to provide enhanced visual presentation to the surrounding lands, and ensure privacy between neighbouring dwellings.

The street tree and landscape planting will include the following tree species, to be planted as advanced specimens:

- Elaeocarpus eumundii (Quondong);
- Tristaniopsis 'luscious' (Water Gum);
- Cupaniopsis anacardoides (Tuckeroo); and
- Syzygium australe (Brush Cherry).

Proposed landscape works are detailed on **Exhibit 3 - Site Master Plan**. The Beach Street section is included within the Architectural Plan set attached at **Appendix C**.

Section 4.7.6 illustrates the treatments of the proposed development's interface with existing development and Beach Street is included on **Exhibit 6 – Landscape Cross Sections**.

The application proposes a number of community based facilities including club house, gymnasium, tennis court and swimming pool, all of which are proposed to include generous landscaping and open space areas.

Residential Subdivision

The application includes architectural plans for a dwelling house on each of the proposed allotments. The proposed community title lots are typically rectangular shaped and vary in size depending on the dwelling

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type. Typically, the community title lots are proposed as follows:

- 247m² (19m x 13m) for Dwelling types A, B, C and D; and
- 228m² (19m x 12m) for Dwelling types E and F.

Some minor variations in lot size will occur throughout the estate, particularly on corner lots and those lots proposed to contain the custom houses (proposed Lots 2 (330.9m²) and 3 (243.5m²)).

Given that the application seeks consent for community title and all of the internal roads will be maintained in community ownership, the setback provisions defined within the DCP for residential development to public roads do not apply to the proposed development. Each of the proposed dwellings are however, considered to comply with the following DCP design principles as demonstrated below:

- **Site frontage:** The proposed lots will typically contain a 12 or 13 metre site frontage to the internal road;
- **Lot dimension:** The proposed lots sizes are:
 - 247m² (19m x 13m) for Dwelling types A, B, C and D; and
 - 228m² (19m x 12m) for Dwelling types E and F.
- **Parking:** All of the 3 bedroom dwelling types (types A, B, C and D) provide 2 garage parking spaces whilst both the 2 bedroom dwelling types (types E, F and Custom) provide 1 garage parking space. A total of 63 visitor spaces are also proposed within the internal road network (community lot). Refer to further comments in **Section 4.5.3** below;
- **Depth to frontage:** All of the proposed dwellings are setback 5.75m from the edge of the road;
- **Cut and fill/slopes:** The subject site is flat and minimal excavation is considered necessary in order to accommodate the proposed dwellings;
- **Battle-axe allotments:** The DCP specifies a minimum Lot area of 650m² for battle-axe allotments to ensure ability to satisfy relevant amenity criteria. This area provision applies to Torrens title allotments, not community title allotments. The proposal includes 5 battle-axe allotments.

The architectural plans included within **Appendix C** demonstrate that the dwellings proposed within these battle-axe allotments are compliant with the relevant amenity criteria

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(being floor space ratio, private open space, solar access and privacy).

4.5.2 DCP Part D – Environmental Requirements

Section D3 Earthworks, Erosion and Sedimentation applies to all proposals which include the placement of fill, building and road works. This application will result in building works, road works and some minor landform alteration related to both.

The stormwater management measures proposed within the Plan included within **Appendix I** consider the topography, geology and soils of the site and surrounding lands and seeks to avoid costly filling of the site. The application includes the installation of a system of 'soak away' pits in lieu of an end-of-line treatment system.

Due to the flat topography of the site minimal landform alteration is required to accommodate the proposed development, noting the previous filling of the site and current site levels. Some reshaping and minor site regrading may be required as a part of the proposal. The areas and quantities of cut and/or fill will be determined during the detailed design phase.

4.5.3 DCP Part G – Car Parking & Access

Part G of the DCP provides guidelines with respect to the provision of parking and access, which are addressed below:

- **Location of driveways:** The proposed development will be a low speed environment with straight roads throughout. It is therefore considered that the proposed development is compliant with the provisions outlined within this section of the DCP;
- **Parking requirements for specific land uses:** Dwelling Houses and Dual Occupancies require the following parking spaces, respectively:

'1 space behind building setback and a minimum 3m wide driveway'

'1 space per 1 and 2 bedroom dwelling. 2 spaces for each 3 or more bedroom dwelling'

The proposal provides a total of 331 garage parking spaces as detailed below:

- Double garage for 3 bedroom Dwelling types A through D (128

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dwellings);

- Single garage for 2 bedroom Dwelling type E (Dual Occupancy, 42 dwellings); and
- Single garage for 2 bedroom Dwelling type F and Custom (33 dwellings).

The proposed garage parking complies with the numerical DCP requirements.

With respect to the proposed club house, swimming pool, gymnasium and tennis court it is noted that these facilities are provided for the use of residents and their invited guests. They are not open to the public for commercial use.

The 11 parking spaces and 4 drop-off spaces directly adjacent the club house, as well as the additional 48 visitor parking spaces provided throughout the development (totalling 63), are considered sufficient to cater for parking demand. In this regard, the following calculation is provided with respect to each of the proposed land uses:

- Tennis court – 1 court, requiring 3 spaces;
- Swimming pool – 6m wide (4 lanes at 3 spaces per lane), requiring 12 spaces;
- Gymnasium – 112m² (at 1 space per 25m²), requiring 4.48 spaces;
- Hall / Meeting Place – 368.5m² Nett Floor Area;
 - At 1 per 6 seats = 21.66 spaces; or
 - At 1 per 9m² = 40.94 spaces.

In total, the above land uses would typically require a minimum of 42 spaces and a maximum 61 spaces. As mentioned above, the 63 visitor spaces provided throughout the development is therefore considered suitable to accommodate the proposed development.

- **Car Parking Requirements:** As detailed above, the proposed development is considered to comply with the numerical parking demands required by the DCP.

4.5.4 DCP Part H – Residential Requirements

Part H of the DCP provides specific objectives and performance criteria for residential development.

- **Site Coverage and Lot Requirements:** The surrounding development is primarily single storey residential dwellings consistent with that proposed.

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The floor space ratio for each dwelling type, relating to their respective sites is typically*:

- Type A: 0.52:1;
- Type B: 0.51:1;
- Type C: 0.51:1;
- Type D: 0.52:1;
- Type E: 0.57:1;
- Type F: 0.48:1;
- Custom:
 - Proposed Lot 2: 0.45:1; and
 - Proposed Lot 3: 0.6:1.

*Note that lot areas may differ slightly. It is considered that each of the proposed lots and associated dwellings comply with the maximum 0.6:1 floor space ratio. Refer to **Exhibit 4 – Proposed Plan of Subdivision** for the individual lot areas.

- **Building Setbacks:** None of the proposed dwelling Types include wall sections on a side or rear boundary greater than 7.5m without articulation.
- **Building Height:** All of the proposed dwellings are of a single storey nature and the approximate dwelling heights are described below:
 - Type A: 5.2 metres;
 - Type B: 5.2 metres;
 - Type C: 4.4 metres;
 - Type D: 5.2 metres;
 - Type E: 5.2 metres; and
 - Type F: 4.8 metres.
- **Car Parking and Access:** As detailed in **Section 4.5.3** above, the proposed development provides more parking spaces than required numerically by the Part G of the DCP.

All of the proposed garages are directly accessible off a straight driveway from the internal private roads. Each garage is setback 5.75m from the edge of kerb and is considered to provide suitable visual opportunities for pedestrians and

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vehicles.

The driveways servicing dwelling Types A through E (3 bedroom, double garage) have 5.5m widths, while the driveways servicing dwelling Type F (2 bedroom, single garage) are proposed at 3 metres wide.

- **Private Open Space:** Each of the proposed dwellings provides useable, level private open space directly accessible from the internal living areas. This area consists of minimum 4m x 4m area.

These areas are all located within the rear yard of the proposed dwellings and are therefore suitably screened from adjacent dwellings and passers-by.

The development also proposes communal facilities including a club house, swimming, pool, gymnasium and tennis court. These facilities will be available for all residents within the community title development.

- **Solar Access and Overshadowing:** All of the dwellings proposed as a part of this application are single storey and have external open space areas directly accessible from the internal living rooms.

The proposal is not considered to detrimentally impact solar access, or cause detrimental overshadowing to any existing surrounding dwellings for the following reasons:

- The existing dwellings fronting Rocklily Street are located to the west of the site and the existing rear boundary fencing will either be maintained or converted to 1.8m high fencing. Given the orientation, single storey nature of the proposed dwellings, as well as the 1.5m wide proposed landscape hedging and rear setbacks (totalling minimum 2.5m separation) it is considered that solar access to the rear yards of the existing dwellings will not be adversely impeded;
- In a similar manner to the above, although to the east, the future dwellings fronting Mary Ann Court are not considered likely to be adversely impacted with respect to solar access or overshadowing;
- The existing dwellings fronting Boambee Street are located to the north of the proposed dwellings and the development will therefore have no adverse impacts with respect to solar access or overshadowing; and

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- The existing dwellings fronting Beach Street are located to the south of the proposed dwellings. They will however, be separated by the service corridor (7.5m wide), the proposed landscaping as well as the existing dwellings setback. The proposed dwellings are therefore not considered likely to be adversely impacted with respect to solar access or overshadowing.
- **Acoustic & Visual Privacy:** Given the level nature of the site, and the single storey construction proposed, it is considered that internal boundary fencing (1.8m high) will provide suitable visual and acoustic privacy between the proposed dwellings and adjoining properties;
- **Views:** The subject site and surrounding lands are predominately flat. The site is almost entirely surrounded by existing residential development. The proposed development is therefore considered very unlikely to affect any view sharing or compromise views from public thoroughfares or from private living areas;

Safety, Security and Entrances: All of the proposed dwelling types have been designed so as to front the internal street. The entrance of all dwelling types is also considered to be clearly defined and visible from the internal street.

The proposed dwelling types are all considered to offer suitable opportunities for casual surveillance.

- **Front Fencing:** No front fences to individual allotments are proposed as a part of the proposal.
- **Controls for specific forms of residential accommodation (One storey detached dwellings):**

This section of the DCP was written for Torrens title allotments fronting a public road. The proposal seeks consent for community title allotments and it is therefore not strictly relevant. Nevertheless, the proposed development has carefully considered the issues of setback and amenity, as follows;

The internal setbacks to the proposed roads are therefore, less than that specified by the DCP. The DCP states that the minimum primary public street setback is 5 metres. None of the proposed dwellings front a public street. All internal roads will be within Open Accessways and remain part of the Community Title subdivision. The proposal therefore seeks to reduce the front setbacks to 1 metre. The proposed garages are typically

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setback 5.75 metres from the edge of kerb.

As noted under **Section 4.5.3**, the development exceeds the numerical parking requirements specified by the DCP. All of the proposed driveways are 5.75 metres in length (from kerb to garage) and are considered suitable for the purposes of the temporary parking of vehicles, and for cleaning. The dwelling setbacks are detailed in **Figure 2.6**.

The individual private open space areas of the proposed dwellings do not comply with the minimum standards specified within the DCP, that being a minimum of 80m² of private open space directly linked to the principal living areas, with minimum dimensions of 6m x 4m. The proposed open space areas for individual dwellings are considered suitable for the following reasons:

- The proposed dwellings each include level areas of private open space directly linked to the principal living areas measuring a minimum of 4m x 4m (or 16m²);
 - The proposal seeks to provide a smaller footprint and affordable housing option that meets the needs of retirees and empty nesters. This includes higher density housing, smaller courtyard gardens and ease of accessibility via single storey layouts;
 - The proposed open spaces provided for individual dwellings will require a lower level of maintenance which is considered attractive to the retiree and empty nester population prevalent in Harrington; and
 - The proposal also seeks to provide an accessible 2,350m² of open space including communal facilities for all residents to utilise. These facilities include a club house, landscape areas, swimming pool, gym and tennis court.
- **Controls for specific forms of residential accommodation (Dual Occupancies):** Dwelling Type E consists of an attached dual occupancy consisting of 2 x 2 bedroom dwellings. A total of 42 Type E dwellings are proposed upon allotments typically including an area of 228m².

This section of the DCP was written for Torrens title allotments fronting a public road. The proposal seeks consent for community title allotments and it is therefore not strictly relevant. Nevertheless, the proposed development has carefully considered the issues of setback and amenity, as

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follows;

- The proposed Type E dwellings include a front setback of 1 metre to the Open Accessways in a manner consistent with the other proposed dwelling types;
- The proposal includes a minimum of 900mm setback to the side and rear boundaries in a manner consistent with the DCP;
- Car parking is provided in excess of the required numerical provisions. All of the Type E dwellings contain 2 bedrooms and provide 2 garage spaces rather than the required single space; and
- The proposed garage widths are consistent with the maximum site frontage occupation. In this regard, the combined width of the proposed garages is 12 metres across a 24 metre site frontage.

4.5.5 DCP Part N – Landscaping Requirements

This Part of the DCP applies to all new development, including subdivisions.

The proposed landscaping is detailed in **Exhibit 3 - Site Master Plan** as well as interface sections (**Exhibit 6 – Landscape Cross Sections**).

The proposed development will benefit from the inclusion of high quality landscape works. This has been adopted as an integral component of the development proposal.

Proposed landscape works include the following:

- A continuous landscape hedge (*Syzygium australe*) between existing and future residents neighbouring the development site to ensure privacy. Refer to the cross sections included within **Exhibit 6 – Landscape Cross Sections** as well as **Section 4.7.6**;
- Careful consideration of road and services allocation within streets to allow for advanced street planting (refer to the cross sections included within **Exhibit 5**). The tree species proposed include:
 - *Elaeocarpus eumundii* (Quondong);
 - *Trisaniopsis 'luscious'* (Water Gum);
 - *Cupaniopsis anarcardioides* (Tuckeroo); and
 - *Syzygium australe* (Brush Cherry).

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- Landscape works associated with the community facilities, including lawn, garden beds and tree planting.

All landscape planting will be required to be undertaken in conjunction with imported nutrient rich topsoil to compensate for the poor nutrient availability of the existing soil (sand). An advantage of the existing soil medium however, is that it will be free draining.

All plant species nominated above, with appropriate planting details, will thrive in the soil and microclimate conditions prevailing on-site.

The location of all street trees has taken into consideration the proposed location of all essential infrastructure. This is detailed in the typical services allocation section contained within **Appendix C**.

4.6 Draft Environmental Planning Instruments

There are no draft environmental planning instruments relevant to the subject site or development proposal.

4.7 Other relevant matters

The following additional matters apply to the proposal:

4.7.1 Stormwater

A Stormwater Management Plan (SMP) has been prepared by King & Campbell Pty Ltd and is attached as **Appendix I**.

The SMP has been prepared in accordance with the pre-lodgement advice provided by Council. In this regard, no detention has been provided. The plan does provide stormwater quality improvement within the development prior to discharge to the Council drainage system.

The existing levels for the downstream stormwater infrastructure constructed as a part of the earlier stages of the Harrington Waters Estate included the provision of two large lagoons within the golf course. These lagoons were designed to provide water quality treatment and improvement, hence additional stormwater treatment upstream was not envisaged. As a result, and based on the existing site levels, the standing water levels within the existing drainage system prevent the implementation of conventional bio-retention basin treatment.

The proposal includes the use of infiltration pits (commonly known as 'soakaway' pits, refer **Figure 4.7.1**) to encourage infiltration of stormwater pits over a single end-of-line bio-retention basin.

The requirement to provide additional water quality treatment over and above the existing facilities provided leaves on-line infiltration in the

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method proposed, as the only viable stormwater treatment option.

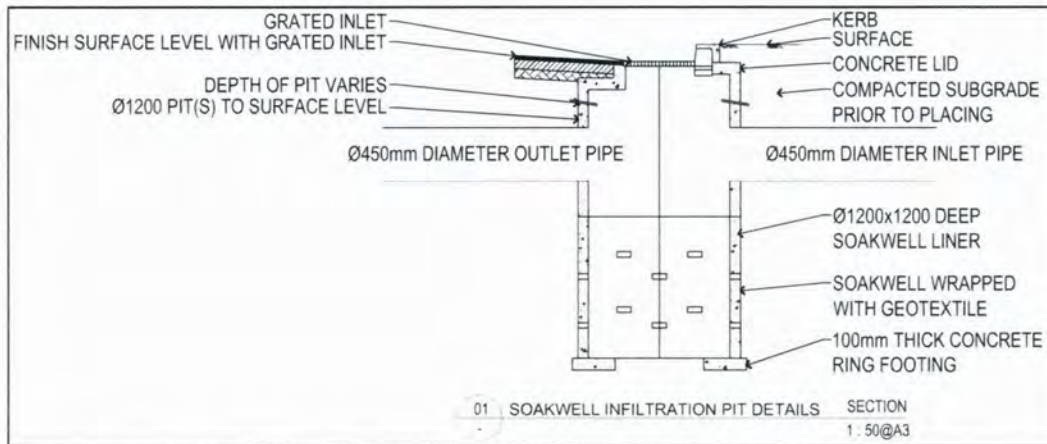


Figure 4.7.1 (above): Soakwell Infiltration Pit details.

4.7.2 Traffic

Traffic & Parking Systems Pty Ltd (TPS) carried out a Traffic Engineering Report with respect to the proposed development. A copy of the TPS Traffic Engineering report is included in full at **Appendix D**.

The TPS report notes that the approved Harrington Waters Estate master plan included 110 residential dwellings within that part of the site the subject of this application. This equates to approximately 12.5 dwellings per hectare. The proposed development seeks consent for a total of 203 dwellings, accounting for an 84% increase in that previously approved under DA358/2009.

TPS state that *'...it should be recognised that the now proposed development contains a significantly higher proportion of 2-bedroom dwellings' (than was originally considered likely under the Torrens title subdivision layout granted under DA358/2009). 'Consequently, the consequential increase in traffic generation arising from the now proposed higher density development will be less than the 84% increase in dwellings due to 2-bedroom dwellings having a lower traffic generation rate than 3-bedroom dwellings'.*

TPS carried out peak period traffic surveys at the Harrington Road (Beach Street) / Harbour Boulevard intersection. The surveys indicated that Harrington Road (Beach Street) and Harbour Boulevard are currently carrying modest traffic volumes which are orders of magnitude less than the capacity of the roads.

Future traffic is anticipated to enter and leave the site via the Harrington Road (Beach Street) / Harbour Boulevard intersection. TPS allowed a rate of 7.5 vpd/dwelling. TPS however, suggest that this rate is highly conservative and is likely to be up to 20% higher than the actual traffic generation rates..

TPS estimate, based on SIDRA 7 software, that future (2028) peak hour traffic movements at the Harrington Road (Beach Street) / Harbour Boulevard intersection (round-a-bout) will continue to operate efficiently (Level of Service 'A') and that the effects of the proposed development and other surrounding anticipated development can be accommodated by the existing intersection (round-a-bout).

The TPS report estimates that the proposed development will result in up to an additional 1,500 vehicles per day or 150 vehicles per hour moving in and out of the development area via the northern leg of the Harrington Road (Beach Street) / Harbour Boulevard intersection (round-a-bout). TPS suggest that this is a conservatively high estimate which can reasonably be assumed to also include the peak hour traffic generation associated with the proposed recreation facilities.

TPS therefore concludes that *'...the proposed development can be accommodated within the surrounding road network and associated intersections without the need for any mitigating traffic engineering works'*.

4.7.3 Vacuum Sewer

In recognition of Harrington's existing vacuum sewer system, Flovac Systems has undertaken a review of the proposed development, including its impact on the overall North East Catchment of Harrington Waters Estate. A copy of the Flovac Systems report is included in full at **Appendix E**.

Flovac have stated that the proposed density increase can be adequately serviced using the existing system, where it incorporates the following recommendations:

- *Whilst 2 peaking factors have been considered, we recommend the application of the original peaking factor multiplier of 3 for this catchment;*
- *With the proposed density increase on Lot 3115 and the need to service the remainder of the North East catchment, the total flow within this catchment will now be approximately 14.29L/s (r=3). As such, approximately 250m of the existing DN 160 HDPE vacuum mains will need to be upgraded to DN250 HDPE, from the VSPS to the intersection of Harrington Rd and Harbour Boulevard. We note that the ultimate capacity of DN250 HDPE PE100 (SDR 13.6) to be around 16.1L/s, assuming use of vacuum mains. The existing*

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DN160 vacuum main travelling north on Harbour Boulevard will remain (but without any further extensions), continuing to service the existing development. With the establishment of the DN250 upgrade, this is now proposed to become the trunk mains for the North East catchment. This main is proposed to extend along Harrington Rd, past the proposed Club house facility, before heading North into the catchment via a potential small easement corridor. Refer enclosed Flovac schematics for more details;

- *Vacuum collection chamber infrastructure is constructed to actively reduce the impacts of rainfall dependant IIF and GWI;*
- *Each collection chambers is ideally serviced by a dedicated DN150 venting system to maximum air intake;*
- *Design of vacuum mains profiles must support the needs of the staging strategy for this development; and*
- *No backwash or overflows from the proposed communal Club House facility be sent to the vacuum sewer.*

4.7.4 Open Accessways (Streets & Visitor Parking)

The proposed roads are contained within Open Accessways within the development and will be maintained by the Community Association, hence they are not public roads. Nevertheless, careful consideration has been given to appropriate road carriageway and road reserve widths within the development.

Auspec provides standards for road reserve and carriageway widths for public roads. Relevant road categories for the subject development, if the roads were public roads, are Access Place (5.5m to 7m carriageway width and 13.5m to 15m road reserve width) and Local Street (8m carriageway width and 16m road reserve width).

The proposal seeks consent for typical streets comprising 5.5 metre wide carriageways within a 15 metre reserve. The main east-west street is 7 metres within a 17 metre reserve. We submit that this proposal is appropriate for the following reasons:

- I. It is our experience, based on the design and implementation of similar projects (refer to **Figure 4.7.4a** below) that motorists do not feel comfortable parallel parking on two-way roads up to 5.5 metres in width. Once road widths exceed 5.5 metres in width (6 metres and above) motorists feel more comfortable to parallel park on-street.
- II. To provide appropriate levels of visitor parking, given (i) above, the development provides adequate dimension between the road carriageway edge and garage doors (5.75m) to accommodate one or two (in the case of double garage driveways) visitor

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parking spaces in the driveway of each house.

- III. By way of comparison an assessment of on-street carparking was undertaken in relation Road No. 3, assuming the road width was 7m wide. Given parallel parking on one side of the street and the location of driveways, only 8 spaces would be possible in a street section servicing 22 houses. Conversely, with the generous driveway widths proposed, a possible 43 visitor car spaces exist in the same street section. This is in addition to the 43 potential car spaces in the garages themselves.
- IV. Given the number of houses being serviced and the potential off-street parking the loss of 8 on street car spaces is considered minor.
- V. The proposed 7 metre wide road within the development is intended to recognise the east-west corridor as the major link road. On-street parallel parking on this street section is also submitted to be very unlikely due to the strategic positioning of dedicated off-carriageway parallel visitor parking spaces (18 dedicated visitor spaces along the northern side of this road section).
- VI. In relation to (II) and (III) above additional observations are made in relation to on-street parking and visitor parking spaces generally:
 1. Having an unimpeded carriageway (whether it be 5.5m or 7m wide) is advantageous for garbage truck and removalist truck circulation, as well as emergency vehicle circulation (Fire tenders).
 2. The housing proposed is particularly suitable for retired people, small families and couples without children (i.e. small households). Such housing can be expected to attract lower visitor parking numbers than would be the case in a conventional (lower density) housing estate.
 3. The development proposes 63 designated visitor parking numbers, 21 more than the required minimum number of visitor spaces (refer to Section 4.5.3).
 4. Mechanisms can be imposed over the Open Accessways, via the community association, which will restrict parking to garages, driveways and allocated parking spaces only.

The proposed street configuration allows for unimpeded carriageways (as described in (VI)1. above), additional street allocation for street tree planting and a good spatial separation between buildings (17 metres). It is submitted that these combined factors will have a significant positive impact on the amenity of streets and hence the development generally.

Similar Developments

In consideration of proposals relating to street configurations for the development, a number of similar constructed projects were reviewed. Two of these projects are described below:

- Sanctuary Springs, Port Macquarie – Sanctuary Springs is a 100 lot subdivision which has been fully constructed for over 5 years (commenced in 2002). Typically, the estate is configured as follows:
 - 450m² (Torrens title) lots with two-storey double garage houses
 - Public roads with road reserve widths of 15m and 5.5m wide carriageways
 - Dedicated visitor parking spaces with additional spaces in driveways



Figure 4.7.4a: (above) A typical 5.5m wide street within Sanctuary Springs

It is noted that this development has been very successful, and recently Development Consent has been granted for Stages 4 and 5, providing an additional 44 lots. The lot and street configuration is the same as that currently constructed.

- Ocean Club Resort, Lake Cathie – Ocean Club Resort is a 300 dwelling housing estate approved under the provisions of SEPP 36 Manufactured Home Estates. Approximately half of the development is fully constructed and operational. Typically the estate is configured as follows:
 - Allotments of approximately 250 square metres, typically containing a one-storey, two bedroom / double garage house

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(this is very similar to the proposed development)

- Roads in private ownership with road reserve widths of 11.5m to 12m with 5.5m wide carriageways (narrower road reserves than the proposed development)
- Dedicated visitor parking spaces with additional spaces in driveways (although driveways are typically shorter than a large car)



Figure 4.7.4b: (above) A typical 5.5m wide street within Ocean Club Resort

Both Sanctuary Springs and Ocean Club Resort demonstrate that 5.5m wide carriageways offer appreciable benefits to their respective developments in terms of ensuring unimpeded carriageways without having detrimental impacts in terms of traffic (including service vehicle) circulation and visitor parking provision. Both of these examples also demonstrate very good streetscape and hence overall estate amenity.

4.7.5 Basix

Each of the proposed dwelling types has been designed so as to allow different roof formations (skillion, hipped and gable). Given the large number of dwellings proposed and different roof variations available, only a select number of Basix certificates have been generated, being one for each dwelling type. The generated certificates are attached within **Appendix J**.

It is considered that the selected number of certificates generated is sufficient to demonstrate that the proposed dwelling types are capable of complying with the Basix energy efficiency requirements.

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Should Council grant consent to the proposed development it is requested that a condition of consent be included which requires the provision of a Basix Certificate for each dwelling prior to issue of a construction certificate for the dwelling.

4.7.6 Interface with Neighbouring Development

The development site is situated within existing residential development. 21 existing homes fronting Rockily Street and Boambee Street directly back onto the development site. This interface is detailed in Section B-B within **Exhibit 6 – Landscape Cross Sections**. 15 houses fronting Beach Street directly back onto the development site. This interface is detailed in Section C-C within **Exhibit 6 – Landscape Cross Sections**. Undeveloped residential land fronting Boambee Street and Mary Anne Court, directly backing onto the development site, is likely to be developed for residential houses in the future.

Existing homes neighbouring the development site would reasonably have the expectation that the site will be developed in the future for residential housing consistent with the subdivision previously approved. This development proposal seeks consent for 203 residential homes in a community title subdivision. Whilst the type of development is similar, and bears a similar development pattern of east-west and north-south streets, it is a higher density development. Accordingly, the interface between existing and future residential homes and the development site has been carefully considered.

The following measures are incorporated into the proposed development to ensure that privacy between existing and future residents is maintained:

- For existing and future residents fronting Rockily Street, Boambee Street and Mary Anne Court the following is proposed:
 - Retention of existing boundary fencing and construction of new 1.8m high boundary fencing where boundary fencing does not currently exist.
 - Provision of a continuous 1.5 metre planting zone on the development side of the boundary fence for the purposes of establishing continuous hedge (using *Syzygium australe* (lilly pilly)). This hedge species will grow to a minimum 3 metres mature height (will be hedged to a lower height, say 2m, to allow solar access where it is required) and will provide a continuous vegetative screen, in addition to the screening provided by the boundary fence. The 1.5 metre wide planting zone is contained within community land (Lot 1), with a right for the Community Association to access the zone through housing for the purpose of maintaining the hedge (in the event that individual home

owners within the estate choose not to maintain it themselves).

- Proposed housing within the development site is set back a further minimum dimension of 1 metre from the hedge, giving a minimum setback of 2.5 metres from the boundary fence. This proposed treatment is illustrated on Section C-C, **Exhibit 6**.
- Existing residents fronting Beach Street will be separated from future residents within the proposed development by virtue of grade separation (residents from Beach Street are situated at approximately 1.5 – 1.8 metres AHD as opposed to approximately 2.9 metres AHD on the development site) and the retention of a corridor for services. This corridor is typically 7.5 metres wide and incorporates a 1.8 metre fence along its northern edge, and planting within the corridor. Proposed housing within the development site is setback a further minimum dimension of 1.5 metres from the fence, giving a minimum setback of 9 metres from the boundary. This proposed treatment is illustrated on Section B-B, **Exhibit 6**.

It is submitted that the above careful attention to detailing at the interface between the development site and neighbouring existing and future residents will provide appropriate levels of privacy for all.

Section 5

Concluding Comments

Conclusion

This development proposal has been assessed having regard to the provisions of Greater Taree Local Environmental Plan 2010 and s.79C(1) of the Environmental Planning and Assessment Act 1979. It is submitted that the granting of consent to the proposal is consistent with the aims and objectives of these documents for the following reasons:

- The proposed development satisfies the development standards as set out by *Greater Taree LEP 2010*;
- The proposed development satisfies the development standards as set out in the various environmental planning instruments applicable to the proposal;
- Mechanisms have been included within the proposed development to ensure a suitable level of privacy is maintained between existing and future residents;
- A traffic and parking assessment has been completed in support of the proposed development, demonstrating that the existing road network is capable of supporting the generated vehicular needs of the proposal;
- The proposed development will provide an appropriate development with respect to the demographics of the Harrington population;
- Landscaping is proposed throughout the development to compliment the development and surrounding lands;
- The proposal will improve water quality through its proposed stormwater management system;
- The proposal is considered desirable due to compatible land use planning, infrastructure capacity and planning principles relating to the efficient and timely development of land within existing urban footprints; and
- The proposed subdivision will enable the orderly and efficient development of the subject site in a manner consistent with the objectives and provisions of the relevant environmental planning instruments.

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In summary, the proposed development fully complies with the provisions of Greater Taree LEP 2010 and all related Policies. In this regard, it is respectfully recommended that the development application be favourably determined by Council at its earliest opportunity.