

JOINT REGIONAL PLANNING PANEL REPORT

DEVELOPMENT ASSESSMENT REPORT DEVELOPMENT APPLICATION NO. 0902/17DA

Seniors Housing (120 bed residential care facility and 183 self-contained dwellings, including community centre, landscaping, car parking, community pool, walking trail and other associated works)

Arthur Street (Lot 2, DP 731016), Coffs Harbour

PURPOSE:

This report provides an assessment of Development Application 0902/17DA for seniors housing (120 bed residential care facility and 183 self-contained dwellings, including community centre, landscaping, car parking, community pool, walking trail and other associated works)

Approval of the application, subject to conditions, is recommended.

THE PROPOSAL

The proposal is for seniors housing (120 bed residential care facility and 183 self-contained dwellings, including community centre, landscaping, car parking, community pool, walking trail and other associated works).

The development consists of:

- residential accommodation comprising:
 - (1) 183 self-contained dwellings, in the form of 21 independent living units (ILU) townhouses and 162 ILU apartments;
 - (2) a 120 bed Residential Care Facility (RCF) with associated care and support facilities;
- car parking:
 - (1) 205 spaces;
 - (2) single garages for each of the ILU townhouses;
 - (3) parking spaces for ambulance and community bus;
 - (4) service vehicle access and loading dock;
- landscaping;
- removal of existing native vegetation;
- landform modification; and
- ancillary areas and facilities such as pool and BBQ facilities, community centre, walking trails etc.

All vehicles access to the development is proposed to be gained via one access point off York Street. Internal roads will provide vehicle access to the different parts of the development. Pedestrian access to the site is provided by way of internal pathways running throughout the site, including pathways linking the site to public transport routes and adjoining development.

The development is proposed to be constructed in three stages. These stages comprise the following:

- Stage 1:
 - Building E, containing the residential care facility;
 - Community centre;
 - 34 independent living units (ILUs), comprising unit and townhouse style buildings along the York Street frontage;
 - Site access;
 - Internal cross road;
 - Associated landform modification;
 - Establishment of flood storage; and
 - Compensatory tree plantings.
- Stage 2:
 - Buildings C and D, comprising 69 ILUs; and
 - Five (5) ILUs along the Arthur Street frontage.
- Stage 3:
 - Buildings A and B, comprising 69 ILUs; and
 - Six (6) ILUs along the York Street frontage.

The proposed construction staging of the development is shown conceptually in the diagram below.



THE SITE:

The development site consists of one vacant lot, approximately 32,450m² in size. The property is bound by Arthur Street to the north, York Street to the east, San Francisco Avenue to the west and existing residential development fronting Pacific Avenue to the south.

The site immediately adjoins a Council owned playing field to the east and existing residential development to the north, south and west. The site is also located within close proximity to other services and facilities located within the Park Beach locality, including the Park Beach Plaza shopping complex, hotels, restaurants and various tourist land uses.

The site, which is relatively flat, is currently grassed and accommodates 14 mature trees on the southern part of the land.

The development site is zoned R3 Medium Density Residential under the Coffs Harbour Local Environmental Plan 2013.



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Our Ref: Lot2DP731016_CouncilReportMap

Lot 2 DP 731016 Arthur Street Coffs Harbour

This map produced by GIS Section
Coffs Harbour City Council
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SCALE @ B5 1:2000
0 10 20 40 60
Metres
Coordinate System: GDA 1994 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA 1994

GRID NTH



CONSULTATION:

Statutory Advertising and Notification

The application was advertised and notified in accordance the Council's Development Control Plan 2015 for a period of 14 days and 107 submissions were received. Of these 101 submissions were in support of the development, with 6 submissions objecting to the development.

A summary of the matters raised in the submissions received is provided below:

In support of the development:

- The development will create job opportunities for the local community, both during construction and ongoing operations.
- The development generally will provide a boost for the local economy.
- Coffs Harbour is an ageing community. The development will help meet the significant needs of an ageing community.
- There are currently limited opportunities for ageing people in the Coffs Harbour community – the development will provide this.
- The development is appropriately located near various services and facilities such as doctors, shops, financial institutions, public transport and recreation areas etc.
- The development provides for an attractive design.
- The development will result in a signature development, contributing positively to the urban form.
- The development will improve safety in the area.
- The developer has a good track record for providing good quality developments.
- The development will provide for a superior quality of life for its residents.
- The development provides an opportunity for ageing people to live independently.
- The development will result in reduced reliance on cars for residents.
- The development will increase the regional attractiveness of Coffs Harbour.

Objections to the development:

- The development exceeds the height controls for the area. The controls exist for a reason and should be enforced.
- The height of the building will result in unacceptable impacts for neighbouring properties in terms of privacy and shadow impacts.
- The height and general bulk of the development will have unacceptable visual impacts in the locality.
- Construction of the development will result in noise, dust and vibration impacts to adjoining properties.
- The development will affect the property values of adjoining properties.
- The development is out of character with the residential locality.
- Traffic impacts due to additional traffic movements.
- Stormwater impacts due to additional stormwater generated by the development.

State Government Referrals

The application was referred to the NSW Roads & Maritime Service for advice in relation to the relevant provisions of State Environmental Planning Policy (Infrastructure) 2007. Their advice has been incorporated into the evaluation process.

Council Departments

Council internal departments have provided comment on the development proposal and their recommended actions/conditions have been incorporated into the evaluation process. No comments were provided that prevent approval of the application.

The application was referred to the following sections of Council:

- Development Assessment – Development Engineer (traffic, parking, servicing, stormwater management)
- Local Planning – Flooding
- Local Planning – Biodiversity
- Regulatory Enforcement (Health) – Noise
- Regulatory Enforcement (Health) – Acid sulfate soils
- Financial Planning – Development contributions
- Waste Services – Waste management

Further Consultation

No further consultation was undertaken.

STATUTORY MATTERS:

The following Environmental Planning Instruments are relevant to assessment of this application.

- State Environmental Planning Policy No 55 - Remediation of Land
- State Environmental Planning Policy No 71 - Coastal Development
- State Environmental Planning Policy (State & Regional Development) 2011
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- Coffs Harbour Local Environmental Plan 2013
- Draft State Environmental Planning Policy - Coastal Management

Coffs Harbour Development Control Plan 2015 is also relevant to the assessment of this application.

The application is identified as “regional development” under *State Environmental Planning Policy (State and Regional Development) 2011* and as a consequence the application is to be determined by the Joint Regional Planning Panel (Northern Region).

Section 79C of the Environmental Planning & Assessment Act 1979 specifies the matters which a consent authority must consider when determining a development application. The consideration of matters is limited in so far as they must be of relevance to the particular application being examined. All of the planning instruments and the development control plan specified above are considered in detail in the Section 79C Evaluation provided appended to this report.

ISSUES:

Environmental

The development site is located within an established urban area and is considered highly disturbed. The development involves the removal of 14 trees. These trees constitute remanent native vegetation on the site and the removal of these trees will not result in any unacceptable impacts. Regardless, the removal of two of these trees, identified as 'high conservation value trees' under the Coffs Harbour Development Control Plan 2015 (DCP), will be offset at a ratio of 1:20 on the site, in accordance with the requirements of the DCP.

The site is mapped as flood prone, however, the development will not result in any flooding impacts to the site itself or adjoining properties, subject to a minimum finished floor level for the proposed buildings being achieved. Appropriate minimum finished floor levels, which meet the requirements of the DCP, have been proposed and are shown on the submitted plans

Amenity

Solar access:

The application was accompanied by solar diagrams (for the 21st of June) that demonstrate that the development does not impact on the solar access for the living areas of adjoining existing developments and results in only minimal impacts to the rear yards of some adjoining residential development, located to the south. The information submitted with the application sufficiently demonstrates that the development will retain an appropriate solar access for adjoining properties and will not result in any significant impacts.

Privacy:

The development site, being bound by existing public roads to the north, east and west, is afforded adequate separation to existing adjoining development in these directions. The development site adjoins existing residential development directly to the south. The closest part of the development to the adjoining residential development occurs in the south-eastern section of the site. A row of single storey self-contained dwellings, which front York Street, are located in this section of the site. The closest setback to this row of self-contained dwellings to the southern boundary is 9 metres, with the remaining buildings that adjoin the southern boundary setback approximately 14 metres and more. Given the separation distances between the proposed and existing development and that landscaping is also proposed to occur along the southern boundary of the site, the development is unlikely to result in unacceptable privacy impacts.

Noise:

The proposed development will generate operational noise from the operation of things such as air conditioners, refrigeration equipment, vehicle movements, laundry operations and resident activities.

Noting that the development site is surrounded by existing residential development, the application was accompanied by an acoustic assessment, which addresses anticipated operational noise. The assessment indicates that operational noise impacts are not expected to be unacceptable in the locality.

Recommended conditions of consent require that noise attenuation measures outlined in the acoustic assessment be implemented in the development and that ongoing operation of plant and machinery not exceed 5dB(A) above the background noise level, when measured at the boundary of the development site. The development is considered unlikely to result in unacceptable impacts in the locality.

Construction phase:

The construction phase of the development is expected to result in some disturbance in the locality. To minimise construction impacts recommended conditions specify construction hours, requirements for management of dust and sediment and erosion measures. A recommended condition of consent also requires the preparation of a construction management plan, which must detail matters such as traffic management, noise and vibration, sediment and erosion control etc.

Traffic

The development, which will gain access from a single access point off York Street, will generate additional traffic movements in the locality that will impose an additional load on the surrounding public road network. The application was accompanied by a traffic impact assessment, which considered the impact of the development on the public road network. The assessment is based on the RMS Guide to Traffic Generating Developments (2004 and as updated). To quantify the potential impacts of the completed development on the surrounding road network SIDRA modelling has been utilised.

The assessment includes consideration of the expected impact on the intersection performance of the York and Arthur streets intersection and the York Street and Park Beach Road intersection. The assessment also considers the impact of the completed development on Arthur Street, York Street and San Francisco Avenue (northern leg), Hogbin Drive and Park Beach Road.

The assessment undertaken indicates that the existing public road network has sufficient capacity to cater for the expected traffic generation.

The development also includes an internal road network, which provides access through the site to the various buildings proposed as part of the development, and includes access to car parking areas, turning areas, waste collection and loading areas. The internal road network and associated parking meet the relevant design requirements of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, the Coffs Harbour Development Control Plan 2015 and AS2890.

The proposed development is not expected to result in any significant adverse traffic impacts in the locality.

Context and Setting - Building form/design

The development site is located in an established urban area and is surrounded by a mix of medium to higher density residential and tourist land uses. The development site is also located within close proximity to commercial land uses such as shops, restaurants and hotels.

The Park Beach locality is a precinct, which is currently in transition from a lower scale, lower density style of development to higher density developments which reflect the planning controls that currently sit over the locality.

The development includes a combination of lower scale buildings that front York and Arthur streets and San Francisco Avenue, transitioning to larger scale higher density tower style buildings towards the centre of the site. The bulk and scale of the taller buildings are broken up by their boomerang shape, stepped design and the use of varying materials and colour schemes.

Whilst the development is more modern in design and parts of it are a higher density than immediately surrounding development, the proposed development as a whole is considered to be consistent with the desired future character of the locality. The development is not expected to result in adverse impacts to the streetscape, as a result of the proposed building design.

The development involves a variation to the maximum building height. The maximum building height for the locality is 15.5 metres. The extent of the variation to the maximum building height ranges from 6.29 metres for Building C to 13.86 metres for Building E. Due to the stepped building form, the height exceedance is not uniform on a particular building. The proposed variation has been assessed and it is considered that the variation would not result in unacceptable impacts and that there are sufficient environmental planning grounds to justify contravening the development standard for this proposal.

SUMMARY:

The proposal represents a significant development in the Park Beach locality.

The main assessment issues for the development are environmental consideration, amenity, traffic, and context and setting – building form/design. The application is considered suitable for approval subject to conditions.

RECOMMENDATION:

- 1. Support the request to vary a development standard made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the maximum building height under Clause 4.3(2) of Coffs Harbour Local Environmental Plan 2013 in this particular case.**
- 2. That Development Application No. 0902/17 for Seniors Housing (120 bed residential care facility and 183 self-contained dwellings, including community centre, landscaping, car parking, community pool, walking trail and other associated works) be approved, subject to conditions as appended to this report.**
- 3. Advise persons who made a submission on Development Application No. 0902/17 of Council's decision.**