

Supplementary Report II to HCC Planning Panel
Development Application 152/2019/DA

Planning Panel Ref:	2018HCC036
Proposed Development	Staged Retirement Village (293 dwellings), associated facilities and Community Title Subdivision
Street Address	25-56 Manor Road Lot 2 DP 1219123; Lot 4 DP 1219124; and Lot 6 DP 1217806
Applicant/Owner	Riverside Manors (Harrington) Pty Limited
Report by	Petula Bowden- Team Leader Development Services
Report date	21 October 2019
Date Lodged	24 September 2018
Additional Information Received	Covering Letter 16229 Dated 17 October 2019
	DA Design Plans - Road, Drainage and Associated Works Rev H
	Detail Survey Rev D
	BMT Flood Impact Assessment
	Architecturals 11843-DA-Combined Drawing Set (27-09-19)
	Arborist Advice (V3) - 25_09_2019
	Construction Staging Plan (Stages 1 -11) - Rev C
	Landscape Plan DA-Rev H

PURPOSE

The purpose of this report is to consider additional information submitted by the applicant in response to the deferral of matter 2014HCC016 dated 23 September 2019

BACKGROUND

At its meeting of 15 May 2019 the Panel considered all matters and materials relating to 152/2019/DA and resolved to defer determination of the development application pending further information, assessment and review.

Additional details were provided to the Panel in a Supplementary Report dated 19 August 2019.

Following consideration of the report and amended details a further deferral of the matter was issued on 23 September 2019.

The terms of deferral are outlined and addressed in the report below.

REPORT

In response to the panel's decision to defer the application the applicant submitted additional information to Council. This information was provided to clarify certain issues of concern to the Panel and to enable further review of certain environmental impacts.

The terms of deferral were addressed by the applicant in the following manner:

Term of Deferral	Summary of Applicant's response.
1. Further investigation of option 4 of alternate roadwork and drainage	Modification of Option 4 to maximise tree retention, including:

solutions which would maintain most of the roadside vegetation in Manor Road.	<p>Alteration to the constructed wetlands along the frontage of the site which provides reduced disturbance adjacent to the boundary and provides a zone for additional screen planting;</p> <p>Further investigation of moving the road further north was carried out; however, this resulted in no significant benefits for tree retention;</p> <p>Flooding assessment was undertaken to ensure the moving of the road north did not result in any impact on flood levels in the adjacent caravan park;</p> <p>Detailed assessment and design for the filling of the drains around trees was undertaken to minimise impacts to trees;</p> <p>As a result of these changes and assessment, the preferred option now provides for the retention of 116 of the existing trees (161) in the Manor Road corridor as detailed in the Arborist's report for the preferred option. This equates to retention of approximately 72% of the existing trees along this frontage. It is noted that the roadworks required for the previous DA for subdivision of this land resulted in the removal of all these trees</p>
<p>Comment: The proposed alterations to the construction of Manor Road demonstrate an acceptable outcome for vehicular access as well as providing suitable drainage to the site. The proposal now maximises the retention of trees in the Manor Road reservation in a manner that does not have any additional adverse impact on flooding of adjacent land.</p>	
2. Movement of the detention basin from the E2 zoned land.	Plans have been checked and were updated to ensure the detention basin location is noted outside the E2 zone.
<p>Comment: the location of the detention basin outside of the E2 zoned land is depicted on the amended plans.</p>	
3. That conditions consider the requirement for restriction of use as seniors housing be included on the title of the properties.	The applicant has no objection to such a requirement and notes that condition 51 of the revised conditions of consent uploaded to the JRPP Register on 20 September 2019 appears to include this requirement.
<p>Comment: Condition 51 of the proposed conditions of consent requires that a restriction as to user must be registered against the title of the property in accordance with section 88E of the Conveyancing Act 1919 limiting the use of any accommodation to seniors housing.</p>	
4. That the construction of the access road for adjoining neighbours be conditioned to meet RFS requirements.	The applicant has no objection to such a condition and assumes Council will draft a suitable condition accordingly.
<p>Comment: Condition No. 21 of the proposed conditions of consent requires these works to be done.</p>	

Public Consultation

The amended information was not further publicly notified.

Notwithstanding, 1 submission was received by Council prior to the drafting of this supplementary report.

A summary of the issues raised in this submission, and comments in response, is provided below.

Issue	Comment
<ul style="list-style-type: none">• Little or no shelter for Koalas will remain in Manor Road.• Birds use hollows for nesting• Swamp Mahogany must remain	<p>Council has fully investigated all options for the retention of trees within the road reserve and proposes that Manor Road be constructed to Council's minimum standard. In achieving this standard and relocating the road carriageway to the north, as many trees as practicable are to be retained (116 of 160).</p> <p>An additional 160 Swamp Mahogany are to be planted on the site to provide compensatory habitat on the fringe of the site</p> <p>There was no evidence revealed in the ecological investigations of the site to indicate that Koalas reside in the Manor Road trees.</p>

CONCLUSION

The application has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

Issues raised by the Panel have been addressed by the applicant and have been considered in this supplementary assessment report. Where relevant, conditions have been amended or additional conditions imposed to manage the impacts attributed to these issues.

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

RECOMMENDATION

That the Panel determine Development Application 152/2019/DA for a Staged Retirement Village (293 dwellings), associated facilities and Community Title Subdivision pursuant to Section 4.16 of the Act by granting consent, subject to the conditions contained in this report.