

Craig Diss

From: Dan Croft (Port Macquarie-Hastings Council)
Sent: Monday, 5 November 2018 1:16 PM
To: Gina Davis
Cc: Patrick Galbraith-Robertson
Subject: FW: John Oxley Drive Seniors Housing Site Compatibility Certificate application Lot 10 DP1077769 PIN 48390
Attachments: PMHC_SCC letter to Council.pdf; 1. SCC Form 5325.PDF; 3. SCC Report - Seniors Living - John Oxley Dr 5325.PDF; A. SCC Preliminary Environmental Constraints Plan 5325.PDF; 2018 - 115.1 Pre-Lodgement Meeting Minutes - John Oxley Drive PORT MACQUARIE - 48390.DOCX

Hello Gina

Further to your e-mail below and the attached application for a site compatibility assessment at Lot 10 DP 1077769. Council feedback to the proposal is consistent with the pre-lodgement meeting advice on 21/8/18 (minutes attached). The issuing of a site compatibility certificate is not supported until such time as the strategic planning work being undertaken by Council in the precinct is completed.

Please call if you would like to discuss further.

Regards

Dan Croft
Group Manager Development Assessment

Development & Environment



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From: Gina Davis [<mailto:Gina.Davis@planning.nsw.gov.au>]
Sent: Wednesday, 17 October 2018 4:35 PM
To: Council
Subject: John Oxley Drive Seniors Housing SCC application

Dear Council

Please find attached cover letter and relevant information requesting comment on the above SCC application. This is email part 1 of 4

Please call on the number below if further information is required.

Regards

Gina

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MINUTES

Development Application Pre-Lodgement Meeting held on Tuesday 21/08/2018

Present

Dan Croft (Chair)	Claire Matheson
Pat Galbraith-Robertson	Donna Clarke
Caleb Scholes	
Jesse Dick	
Sam Rooney	
John Hanlon	

Consideration of Pre-Lodgement Proposal

Applicant:	Land Dynamics Australia
Proposal:	Seniors Living Development
Meeting Time:	3.00pm
Location:	LOT: 10 DP: 1088869, John Oxley Drive PORT MACQUARIE
Parcel/s:	48390
Pre-Lodgement Reference:	210. 2018. 115

Following is a list of issues that were raised at the meeting that would need to be addressed when lodging a development application.

Planning

It was noted that the proposal is conceptual and reliant upon obtaining a Site Compatibility Certificate from the Department of Planning and Environment (DPE) under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP).

The following initial comments are provided:

- The site is currently subject to the John Oxley Drive Precinct Structure Plan. Work is also currently being undertaken to prepare a master plan for the Port Macquarie Health and Education Precinct (HEP) which includes the subject site. No outcome of master plan is currently available (draft likely to be reported to Council in early 2019). It is recommended that no site compatibility certificate be sought until the outcomes of this strategic planning process are finalised. It is recommended that the proponent engage in this strategic planning process.
- On merit, without any formalised strategic planning policy in place, the scale of the development is a significant change of character for the locality and would be difficult to justify without the broader strategic planning work being completed. It is considered unlikely that a future structure plan will recommend a 5 to 6 storey scale building in this precinct.
- Given the nature of the Seniors Housing proposed, the development must meet the provisions of Clause 7.4 of the LEP. In this regard the development must be assessed against the Probable Maximum Flood (PMF). Council's Flood Policy (2015) contains further information relating to the requirements that will apply to the subject development. The PMF level for the site is 6.60m AHD. Evacuation from the site will be critical given the nature of the use of the site and the proposed evacuation route which is subject to inundation on flood events up to and including the PMF. A Flood Impacts Assessment, Flood Risk Assessment and Flood Evacuation Plan will be required to support the development. These reports

will need to be prepared by a suitably qualified flood consultant with demonstrated experience in completing these studies.

- Given the scale of the buildings proposed significant separation shall be provided from the boundaries of the existing development
- The potential for land use conflict between the proposal and the non-residential uses currently operating on the adjoining eastern properties fronting John Oxley Drive shall be addressed.
- A specialist acoustic and bushfire report should be provided with the Site Compatibility Certificate to demonstrate that future buildings can achieve the standard requirements for amenity and bushfire risk protection.

Council may have additional feedback to provide to the DPE when formal notification is provided to Council.

With regard to any subsequent Development Application lodged, a detailed Statement of Environmental Effects addressing relevant Environmental Planning Instruments and merit-based issues is required. Particular attention should be given, but not limited to, the following:

1) The following State Environmental Planning Policies apply:

- No.44 – Koala Habitat Protection
- No.55 – Remediation of Land
- No.62 – Sustainable Aquaculture
- No.65 – Design Quality of Residential Apartment Development
- Coastal Management (2018)
- Building Sustainability Index: BASIX (2004)
- Housing for Seniors or People with a Disability (2004)
- Infrastructure (2007) – Referral to RMS likely
- State and Regional Development (2011) – The Northern Region Joint Regional Planning Panel will be likely to be the consent authority.

Application to address relevant provisions of these policies.

- 2) The site is zoned RU1 primary production under Port Macquarie-Hastings Local Environmental Plan (LEP) 2011. The proposed Seniors Living development would need to be supported by a site compatibility assessment for it to be considered permissible in the zone.
- 3) In accordance with clause 4.3 of LEP 2011 any maximum building height set for the site will need to be complied with. Any variation would need to be adequately justified in accordance with clause 4.6 of LEP 2011 and clearly illustrated on plans to demonstrate the extent of variation.
- 4) In accordance with clause 4.4 of LEP 2011 any maximum Floor Space Ratio (FSR) set for the site will need to be complied with. Application to include details of proposed FSR.
- 5) Application to address general provisions and relevant specific provisions of Development Control Plan (DCP) 2013. Any variations to be adequately justified against the relevant objectives.
- 6) Details and calculations of required off-street parking to serve the development consistent with the parking rates identified in DCP 2013 and/or Seniors SEPP.
- 7) Site is mapped as bushfire prone land triggering Integrated development provisions. Bushfire assessment report required and referral to NSW Rural Fire Service will be undertaken as part of the assessment process. \$320 cheque made payable to NSW Rural Fire Service and \$140 referral fee payable to Council.
- 8) Details of the type and extent of vegetation to be removed and retained (inclusive of any required bushfire Asset protection Zones) clearly illustrated on plans.

Given the extent and nature of vegetation to be removed an ecological assessment addressing section 5A of the Act (i.e. five part test) and the relevant provisions of DCP 2013 shall support the application.

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Trees to be retained within close proximity of works/buildings shall be supported by an Arborist report demonstrating ability for long term retention.

- 9) Details of any staging to be clearly outlined.
- 10) A detailed analysis of overshadowing impacts (i.e. shadow diagrams).
- 11) A detailed analysis of privacy impacts.
- 12) Visual impact assessment required.
- 13) Details of proposed waste management and collection arrangements.
- 14) Development contributions will apply. An estimate may be obtained from Council's Development Contribution team, contact Steve Ford.

Water

- 1) Council records indicate that the development site does not have a water service.
- 2) Water Supply computational modelling will be required to determine whether the existing water supply infrastructure can facilitate the additional loading.
- 3) Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as fire service and backflow protection requirements in accordance with AS3500.

Sewer

- 1) Council records indicate that the development site does not currently have a sewer connection.
- 2) Sewer computational modelling will be required to determine whether the existing sewer infrastructure can facilitate the additional loading.
- 3) Additional odour control measures (such as an odour scrubber) may be required on the existing sewer pump station 64 with installation to occur at no cost to Council.

Engineering

- 1) New roads to be dedicated to Council will need to meet the provisions of AUS-SPEC Table D1.5 based on the potential lot yield (including future subdivision potential). As such, it may be beneficial to increase the proposed lot yield to minimise future infill subdivision proposals.
- 2) A Traffic Impact Assessment (TIA) will be required.
 - a) TIA is to be prepared by a qualified and/or experienced traffic consultant.
 - b) TIA is to be prepared in accordance with guidelines contained in the *Roads and Maritime Services Guide to Traffic Generating Developments (2002)*, and *AUSTROADS Guide to Traffic Management, Part 12: Traffic Impacts of Development*.
 - c) TIA should use data obtained from an existing facility which operates in a similar manner to the proposed facility, and comment on any differences in operation.
 - d) The likely traffic generation should be quantified, in terms of the number of vehicle trips during peak hours, number of trips per day, and breakdown of the types of vehicle users (e.g. residents' cars, staff cars, service trucks).
 - e) The likely 85th percentile (time-weighted) parking demand is to be quantified.
 - f) Comment on the likely traffic and parking demand ten years after the development.
- 3) Works within the road reserve and/or on Council owned assets will require a refundable bond equal to 130% of the cost of the works (to be held during construction until acceptance of the works).
- 4) Council is currently developing design plans for future works on John Oxley Drive. The development proposal is to be compatible with the future design and will require

further consultation between the developer and Council's Transport & Stormwater Network team.

- 5) Internal access aisles and parking bays will be assessed for conformance with AS 2890, and in particular part 1 for cars, part 2 for garbage and delivery trucks, and part 6 for disabled parking (if required by the BCA or other standards).

Stormwater

- 1) A stormwater management plan must be prepared in accordance with the requirements of AUSPEC D5 and D7 and the requirements of relevant Australian Standards, demonstrating how all stormwater and surface water discharging from the proposed development site, buildings and works will be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of Council.

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

- a) On-site stormwater detention facilities (or similar) must be incorporated into the design to ensure that the post development site stormwater discharge rate does not exceed the pre development discharge rate for all storm events up to 1%AEP.
 - b) The stormwater management plan must be prepared and certified by a qualified practicing Civil Engineer or Registered Surveyor.
- 2) A Total Water Cycle Management Plan must be prepared in accordance with requirements of AUSPEC D7 Appendix A to ensure that stormwater runoff from the development site meets specified quality objectives during the construction and occupation phase of a development and that the development is in line with the principles of Ecologically Sustainable Development.
 - 3) The property is located within a localised depression and as a result may be subject to local flooding during significant storm events. The proposed property has private and public infrastructure draining into, as well as run off from Oxley Highway. Provisions for inter-allotment drainage must be given for existing private properties to have a legal point of connection, as they currently drain onto the vacant land.

A local Drainage Investigation must be submitted in support of the development application to ensure that the risks associated with local overland flooding are clearly identified and where appropriate, the development is modified to minimise those risks.

The Drainage Investigation must be prepared by a qualified practicing Civil Engineer and must comply with the requirements of AUSPEC D5.

Other

- 1) Please make reference to these pre-lodgement comments within the DA submission/planning report.
- 2) Any comments in this Pre-Lodgement advice are based on the information provided. The comments do not predicate the outcome of a full assessment of any forthcoming development application regarding this proposal. Any subsequent change to legislation may also affect the accuracy of this advice.