

Statement of Environmental Effects

88-90 CORNWALL STREET, TAREE

02 NOVEMBER 2022



QUALITY ASSURANCE

| | |
|----------|--|
| PROJECT: | Cancer Care Manning-Great Lakes |
| ADDRESS: | 88-90 Cornwall Street, Taree |
| LOT/DP: | Lot 56 in DP 626521 and Lot 6 in DP 666993 |
| COUNCIL: | Mid Coast Council |
| AUTHOR: | Think Planners Pty Ltd |

Document Management

| Prepared by: | Purpose of Issue: | Date: |
|-----------------|---------------------------------|------------------|
| Emily Jacobsson | Draft Issue for Internal Review | 17 October 2022 |
| Emily Jacobsson | Final Issue for internal Review | 01 November 2022 |
| Reviewed by: | Purpose of Issue: | Date: |
| Schandel Fortu | Issue to Client | 17 October 2022 |
| Brad Delapierre | Issue to Client | 02 November 2022 |

Integrated Development (under S4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

| | |
|---|----|
| Coal Mines Subsidence Compensation Act 2017 | No |
| Fisheries Management Act 1994 | No |
| Heritage Act 1977 | No |
| Mining Act 1992 | No |
| National Parks and Wildlife Act 1974 | No |
| Petroleum (Onshore) Act 1991 | No |
| Protection of the Environment Operations Act 1997 | No |
| Roads Act 1993 | No |
| Rural Fires Act 1997 | No |
| Water Management Act 2000 | No |

Concurrence

| | |
|---|----|
| SEPP (Industry and Employment) 2021 | No |
| SEPP (Resilience and Hazards) 2021 | No |
| SEPP (Transport and Infrastructure) 2021 | No |
| SEPP (Planning Systems) 2021 | No |
| SEPP (Precincts—Central River City) 2021 | No |
| SEPP (Precincts—Eastern Harbour City) 2021 | No |
| SEPP (Precincts—Regional) 2021 | No |
| SEPP (Precincts—Western Parkland City) 2021 | No |
| SEPP (Biodiversity and Conservation) 2021 | No |

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a development application for the demolition of existing structures, removal of vegetation and construction of a comprehensive cancer care centre at 88 and 90 Cornwall Street.

Cancer is a common disease and a major health problem in Australia today. In fact, it is the leading cause of death in Australia accounting for approximately 27% of all deaths. At current rates, it is expected one in two Australians will be diagnosed with cancer by the age of 85. This centre will assist with treating patients with cancer by providing a cancer care clinic where patients will both have a consultation with a doctor to devise a treatment plan and receive ongoing treatment.

Situated within an established residential area, the site is within proximity to Taree Local Centre, public transport, and the Manning Base Hospital. The subject site can be best described as a rectangular shaped mid-block allotment which has a primary frontage to Cornwall Street, secondary frontage to Cornwall Lane and a total site area of approximately 1,240.1m².

The established residential area is characterised predominantly by older style single storey residential dwellings interspersed by modern two storey dwellings. The development proposes a Health Services Facility within a garden setting that will be consistent with the existing low-density character of the immediate locality.

Currently, an older style residential dwelling is located on each lot of the subject site. The existing dwellings are to be demolished to facilitate the construction of the health services facility.

The subject site is zoned R1 General Residential with a permitted FSR of 0.6:1 and height limit of 8.5m under the Greater Taree Local Environmental Plan 2010. A '*Health service facility*' is permissible with consent within the R1 Zone, with the proposal designed to comply with relevant provisions including maximum building height and FSR controls contained within the LEP and the associated controls within the Greater Taree Development Control Plan including setbacks, landscaping, and parking.

The proposed development seeks to utilise the land in accordance with the R1 zoning and to take advantage of its proximity to, public transportation, public services, and the local centre. The development proposal has been designed to align with the provisions of the Greater Taree LEP 2010 and the supporting Greater Taree DCP.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social, or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant, and appropriate conditions of consent.

SITE AND LOCALITY

LEGAL DESCRIPTION

The subject site is legally described as Lot 56 in DP 626521 and Lot 6 in DP 666993 however is commonly known as 88-90 Cornwall Street, Taree.

SUBJECT SITE

Residing within an established residential precinct, the development site is located on the south-eastern side of Cornwall Street, approximately 5m west of the intersection of Manning Street and Cornwall Street, Taree.

The development site can be described as a regular shaped allotment with an accessway from Cornwall Lane with a total site area of approximately 1,240.1m².

At present, the site is predominantly clear of vegetation and comprises a two single storey dwelling house and associated structures including sheds. Photograph 1 below illustrates the existing structures from Cornwall Street, Taree.

Photograph 1: Subject site as viewed from Cornwall Street (Source: Google Maps, 2022)





Photograph 2: Subject site as viewed from Cornwall Lane (Source: Google Maps, 2022)



SUBJECT AREA

The subject site is located within an established residential area. The built form character of the precinct is a mix of older style low density single storey residential dwellings and two storey dwellings within the locality interspersed with non residential uses such a church drop in centre, pathology centre and a motel.

The development proposes a health services facility which will be consistent with the low density character of the area and will also permit the site to utilise the land in accordance with the zoning.

An aerial photograph of the subject site is provided below and overleaf which illustrates the development site in its current context.

Figure 1: Aerial Map Extract of the Subject Site (Source: Nearmap 2022)



Subject Site

Figure 2: Closer aerial Map Extract of the Subject Site (Source: Nearmap 2022)



Subject Site

Photograph 3: Neighbouring property 92 Cornwall Street (Source: Google Maps, 2022)



Photograph 4: Neighbouring property 86 Cornwall Street (Source: Google Maps, 2022)



Photograph 5: Cornwall Street towards Northeast (Source: Google Maps, 2022)



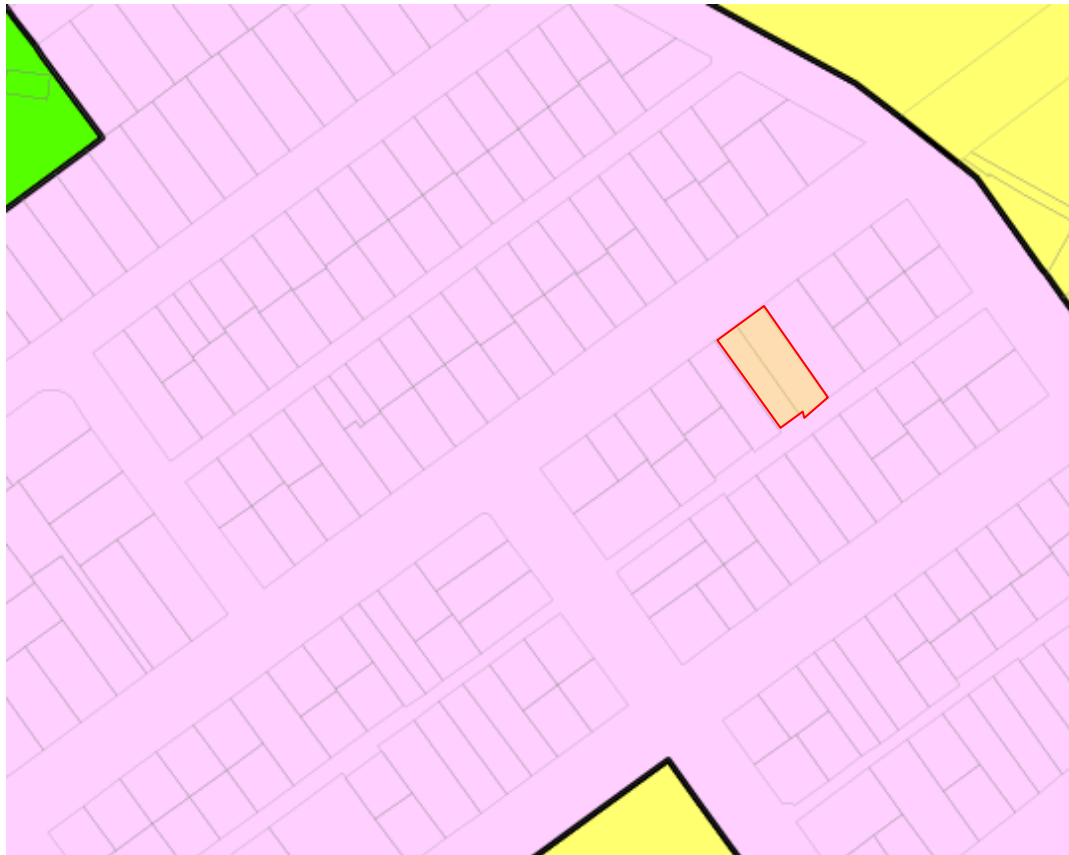
Photograph 6: Cornwall Street towards Southwest (Source: Google Maps, 2022)



ZONING

As illustrated by Council's zoning map extract overleaf, the development site is zoned R1 General Residential under the Greater Taree Local Environmental Plan 2010. A 'Health services facility' is permissible with development consent within the R1 Zone.

Figure 3: Zoning Map Sheet LZN_015G (Source: Greater Taree LEP 2010)



 *Subject Site*

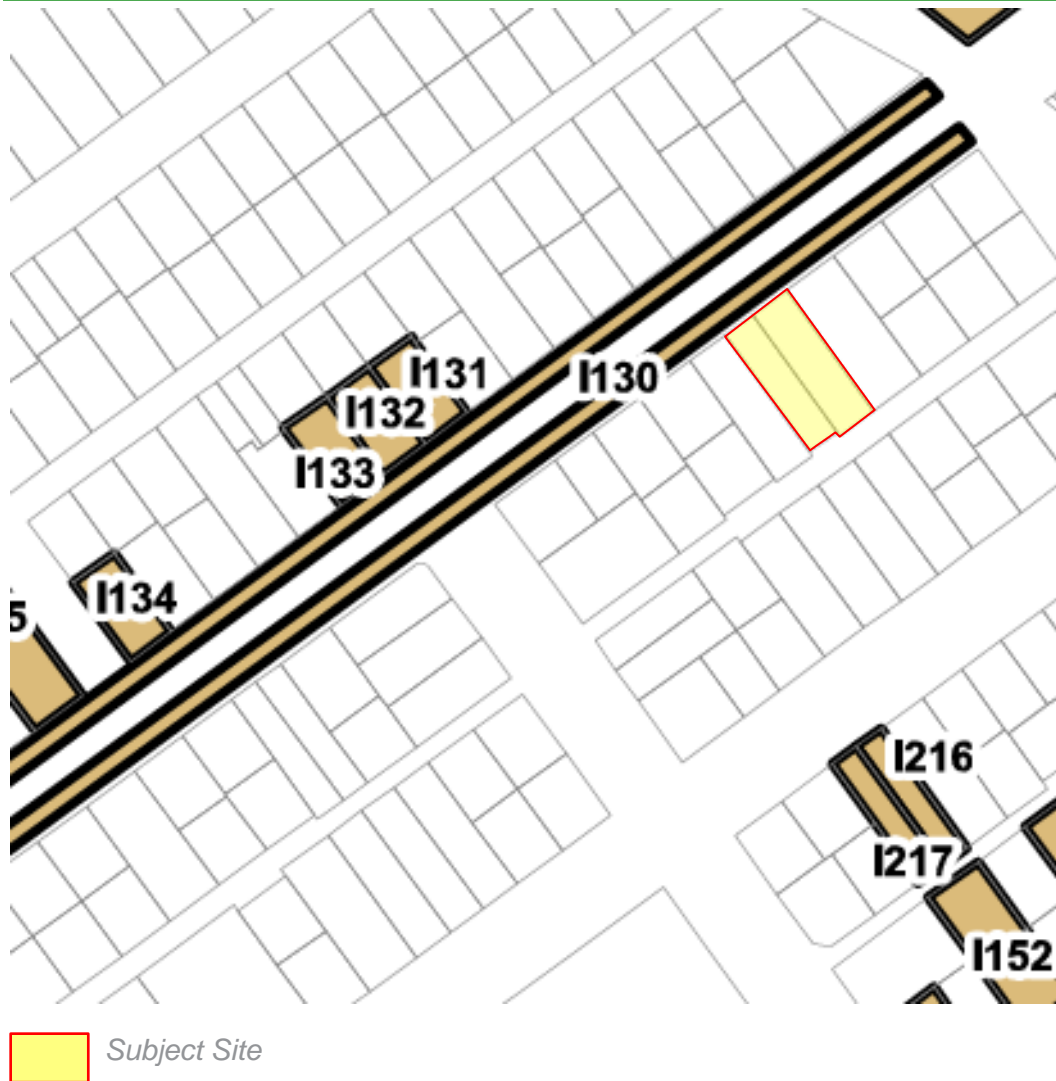
The proposal will contribute towards providing appropriate health care facilities for both existing and future residents and employees. The increase of employment opportunities will contribute towards boosting the local economy of Taree.

The development aims to utilise the land in accordance with the zoning and provide employment opportunities, and services to existing and future population. The nature of the use is considered not to result in an undue impact on the amenity of the area.

HERITAGE

The site is not identified as containing a heritage item and is not located within a heritage conservation area. However, there are heritage items adjacent and within the broader vicinity of the development site as illustrated by the heritage extract map below.

Figure 4: Heritage Map Sheet Extract (Source: NSW Planning Portal)



It is noted that the local heritage item I130 Street trees, Cornwall Street (established Brush Box trees) will be protected, and the proposed development will have a minimal impact. Given the existing building footprints and the proposed building footprint, it is not considered that the development will unduly impact on the heritage curtilage of the listed trees or heritage listed properties within the vicinity of the site.

DESCRIPTION OF PROPOSAL

The current application is seeking the demolition of existing structures and construction of a comprehensive two storey cancer care centre at 88 and 90 Cornwall St, Taree.

Cancer is a common disease and a major health problem in Australia today. In fact, it is the leading cause of death in Australia accounting for approximately 27% of all deaths. At current rates, it is expected one in two Australians will be diagnosed with cancer by the age of 85. This centre will assist with treating patients with cancer by providing a cancer care clinic where patients will both have a consultation with a doctor to devise a treatment plan and receive ongoing treatment.

Treatments proposed to be provided on site include radiotherapy and chemotherapy.

When operating at full capacity the centre will be staffed by:

- 1 Radiation or Medical Oncologist
- 2 Administration
- 4 radiation therapist
- 3 Nurse
- 1 medical physicist, occasionally

A summary of the proposed development is provided below:

Demolition of existing structures

Demolition of two dwellings and associated outbuildings.

Removal of vegetation

Removal of existing shrubs and vegetation.

New Cancer Care Centre

Ground floor

The ground floor will contain a reception area, inclusive of one treatment bed, Six Chemotherapy chairs, a Linac Treatment bunker, a pharmacy that will dispense medication to patients only, two consultation rooms, three bathrooms and associated offices and operational rooms.

The ground floor will also contain seven car parking spaces, six accessed via a new driveway from Cornwall Lane and one a pick-up and drop-off bay accessed via Cornwall Street.

First floor

The first floor will include a plant area, offices, Linac treatment Lid, and a staff room.

The proposed development will be able to provide critical medical treatment to the broader Taree Community without having to travel further afield and will reduce demand on existing health services in Taree.

Parking

Six parking places are provided on site which are accessible via Cornwall Lane.

One drop-off parking spot provided from Cornwall Street.

OPERATIONAL DETAILS

The proposed operation hours of operation of the Cancer Care Centre are:

- Monday to Friday: 8:30am to 5:00pm
- Saturday: 9:00am to 12:00 on occasion for emergency
- Closed on Sundays and public holidays

Out of hours emergency treatments are rare but are essential from time to time for a Radiation Oncology provider. Patients may require emergency treatment to Spinal cord compressions or Superior Vena cava (SVC) obstructions, which are considered emergency treatments and must be attended to immediately.

The current proposal will allow for a cancer care facility closer to people's home and provide adequate health services for the community.

See attached Operational Management Plan for details.

The following plans and documents accompany this application:

| Plans/Reports | Prepared by |
|---------------------|-------------------------------|
| Architectural Plans | Boffa Robertson Group |
| Survey Plan | McGlashan & Crisp |
| Stormwater Plans | Northrop Consulting Engineers |
| Landscape Plans | Studio 151 |

| | |
|----------------------------|------------------------------------|
| Cost Estimate Report | MBM |
| Traffic and Parking Report | The Transport Planning Partnership |
| Waste Management Plan | Leigh Design Pty Ltd |
| Acoustic Report | E-LAB Consulting |
| BCA | BM+G |
| Fire management Plan | E-LAB Consulting |
| Operations Management Plan | Cancer Care |

The application proposes a health services facility development that incorporates contemporary architectural aesthetics to provide an attractive façade to the street. The health services facility has been designed to appear as a two-storey dwelling in-order to be consistent with the streetscape along Cornwall Street.

Furthermore, the design consideration has also been given to amenities including aspects such as privacy and solar access for neighbouring properties and those of surrounding properties

PRE LODGEMENT MEETING

A pre lodgement meeting was held with Council staff on 27 September 2022. The key issues discussed at the meeting were car parking, stormwater, and civil design. These issues are discussed in the table below.

| Issues Raised | Discussion |
|--|---|
| Key Issues | |
| Car parking/ traffic | |
| <ul style="list-style-type: none"> - Deficiency in the car parking provided onsite. | <p>Traffic Impact Assessment has been prepared by The Transport Planning Partnership (tpp).</p> <p>The development proposes six parking space at the rear of the site accessed via Cornwall lane and one pick-up drop-off zone at the front.</p> <p>There is no specific DCP parking rate that applies as this is a cancer care treatment facility which is varies significantly from the normal medical centre type facility in terms of the staffing and patient numbers</p> <p>The traffic assessment that accompanies that DA submission states that , <i>it is anticipated that the peak parking demand will be 11 car spaces</i>" additionally <i>"parking surveys of the streets near the site suggest that the overfall parking demand of the proposed development can be accommodated on street without noticeable impacts on the residential parking"</i></p> |
| <ul style="list-style-type: none"> - Traffic Impact Assessment will need to discuss the frequency of the cars entering and existing the site and the impacts on the service laneway | <p>The traffic assessment concludes that the <i>"proposed development is considered acceptable from a traffic and parking perspective and is not expected to cause any noticeable adverse traffic impacts on the surrounding road network"</i></p> <p>The traffic assessment identifies the proposed impact on Cornwall Street, Cornwall Lane, Manning Street and Pulteney Street.</p> <p>The traffic assessment states <i>"additional traffic generation of the proposed cancer treatment facility is estimated to be up to 8 vehicles trips per hour in the peak periods. This level of additional traffic generated by the proposed development will therefore have no noticeable traffic impacts on the surrounding road network and would show no discernible difference in any traffic modelling software."</i></p> |

| | |
|---|--|
| <ul style="list-style-type: none"> - Driveway, site distance will need to be considered if re-designed. | <p>The driveway location remains the same from Pre-DA meeting. The traffic consultant confirms that adequate site distances are provided.</p> |
| <ul style="list-style-type: none"> - Where will the loading zone be and what vehicle type will be used | <p>Waste collection will not be changed as part of the development and it will be accommodated via kerb-side collection.</p> <p>Other deliveries and services will be undertaken via cars and vans which can be accommodated within the pick-up & drop-off zones on Cornwall street</p> |
| <ul style="list-style-type: none"> - Pick up/ Drop off | <p>The design has been refined and the Pick-up and Drop-off zone has been relocated to accommodate the power pole.</p> |
| Earthworks | |
| <ul style="list-style-type: none"> - Some earthworks required on the site and there will need to be consideration given to how you treat the raised areas with regard to adjoining properties, privacy and amenity | <p>Landscape plan is attached as part of this development application. Side boundaries will be heavily landscaped to protect neighbourhood privacy and amenities.</p> |
| Consolidation | |
| <ul style="list-style-type: none"> - Condition will be required for consolidation. - Applicant has requested consolidation be Prior to Occupation Certificate rather than Prior to Construction Certificate as they have concerns it will hold up the development. - Ben suggested this may be considered with strong justification or potentially if evidence can be provided that the process to consolidate has commenced, however, standard practise is Prior to CC. | <p>The rationale for requiring consolidation of allotments when a building will straddle two allotments is to ensure that the site is not capable of being sold to two separate owners.</p> <p>Allowing consolidation to occur prior to the issue of the occupation certificate will allow construction to commence and enable this critical health care facility to be in operation earlier than if it was required prior to the issue of the construction certificate.</p> <p>The process for consolidation has commenced and it is anticipated that a linen plan will be lodged with Council by January 2023.</p> |
| Demolition | |
| <ul style="list-style-type: none"> - Waste minimisation plan required | <p>A Waste minimisation plan accompanies this development application submission</p> |
| Stormwater | |
| | <p>Attached as part of this submission is a stormwater management plan which addresses where the stormwater is captured.</p> |
| Water Services | |
| <ul style="list-style-type: none"> - Section 68 application for water and sewer approval will be required | <p>The required Section 68 application is being lodged concurrently with this DA submission.</p> |

| | |
|--|--|
| - There are two existing sewer junction connection. One will need to be capped off. | One will be capped off. |
| - There are two existing water meters to be removed and replaced with one meter sized according hydraulic design | It will be replaced with one meter sized. |
| - There are currently two 100ml water mains at front and rear of the property. Current Water Supply Codes require commercial developments to connect to 150ml mains. This could require an upgrade to the existing main. | It is considered that the two 100ml water mains will be adequate for the limited water required by the premise which will likely be less than that required by the two existing dwellings. |
| Water Quality | |
| - Rainwater tanks and rain gardens can be used to both catch and treat the water and then feed it back to the street drainage system. | Rainwater tanks with a total capacity of 20 Kilo litres and stormwater rain garden with a 20m ² filter areas are proposed as part of this development and is consisted with the WSD strategy. |

The proposed development has addressed and amended in line with Council's comments to satisfactorily address all the key issues raised, and this Statement of Environmental Effects provides detailed justification and context with respect to any outstanding items. Please refer to the relevant compliance tables below for further discussion.

PLANNING CONTROLS

STATUTORY CONTROLS

The relevant Statutory Planning Controls include:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021; and
- Greater Taree Local Environmental Plan 2021

POLICY CONTROLS

The applicable policy control document is:

- Greater Taree Development Control Plan 2010

CONSIDERATION OF PLANNING CONTROLS

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of three now repealed SEPP's being:

- State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 33—Hazardous and Offensive Development; and
- State Environmental Planning Policy No 55—Remediation of Land.

Chapter 2 of the SEPP contains controls for coastal management and is not applicable to this development.

Chapter 3 of the SEPP contains controls for Hazardous and Offensive Development. This development is not for Hazardous and Offensive development and accordingly this chapter is not applicable to this development.

Chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

The following table considers the risk of the site being contaminated:

| Matter for consideration | Yes | No |
|--|--|----|
| Does the application involve re-development of the site or a change of land use? | X The use will change from residential to a health services facility. | |
| Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)? | X | |
| Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? | | X |

acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation

| | |
|--|-----|
| Is the site listed on Council's Contaminated land database? | X |
| Is the site subject to EPA clean-up order or other EPA restrictions? | X |
| Has the site been the subject of known pollution incidents or illegal dumping? | X |
| Does the site adjoin any contaminated land/previously contaminated land? | X |
| Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development? | NA. |

There is no information that would indicate that the site is contaminated. Based on the available information including a review of historic aerial photographs there is nothing to warrant further investigation in relation to contamination at this stage.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

A traffic and parking impact report has been prepared by TTPP transport planning which confirms the compliance of the development with the requirements of this SEPP. See the report for detail.

In accordance with this chapter, particularly Clause 2.48, it is anticipated that Council will refer the application to an electricity supply authority, as works are likely to occur within 5m of an exposed overhead electricity power line.

Division 15 relates to Development in or adjacent to rail corridors and interim rail corridors

| Clause | Response |
|---|--|
| 2.96 Development involving access via level crossings (1) This section applies to development that involves— (a) a new level crossing, or (b) the conversion into a public road of a private access road across a level crossing, or (c) a likely significant increase in the total number of vehicles or the number of trucks using a level crossing as a result of the development. | In accordance with clause 2.96 the development does not propose a level crossing or increase traffic generation across an existing level crossing. Accordingly, no further consideration of this clause is required. |
| 2.97 Development adjacent to rail corridors (1) This section applies to development on land that is in or adjacent to a rail corridor, if the development— (a) is likely to have an adverse effect on rail safety, or (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or (c) involves the use of a crane in air space above any rail corridor, or (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities | The site is not located adjacent to a rail corridor, but is within a 120m of a rail corridor to the north. Given this separation the proposed works do not trigger any provision in regards to 1a-d. Accordingly, no further consideration of this clause is required. |
| 2.98 Excavation in, above, below or adjacent to rail corridors (1) This section applies to development (other than development to which section 2.100 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land— (a) within, below or above a rail corridor, or (b) within 25m (measured horizontally) of a rail corridor, or (c) within 25m (measured horizontally) of the ground directly below a rail corridor, or (d) within 25m (measured horizontally) of the ground directly above an underground rail corridor. | The site is not located approximately 30m horizontally from the rail corridor. Accordingly, no further consideration of this clause is required. |
| 2.99 Impact of rail noise or vibration on non-rail development (1) This section applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent | The proposed development is not within a rail corridor, or immediately adjacent. As such, this Clause does not apply. |

authority considers is likely to be adversely affected by rail noise or vibration—

- (a) residential accommodation,
- (b) a place of public worship,
- (c) a hospital,
- (d) an educational establishment or centre-based child care facility.

(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.

(3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—

- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10.00 pm and 7.00 am,
- (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

2.100 Development within or adjacent to interim rail corridor

(1) This section applies to development that is—

- (a) on the land shown as “Zone A” on a rail corridors map and has a capital investment value of more than \$200,000, or
- (b) on the land shown as “Zone B” on a rail corridors map and—
 - (i) involves the penetration of ground to a depth of at least 2m below ground level (existing), or
 - (ii) has a capital investment value of more than \$200,000 and involves the erection of a structure that is 10 or more metres high or an increase in the height of a structure so that it is more than 10m, or
- (c) on the land shown as “Sydney Metro West Tunnel” on a rail corridors map and involves the penetration of ground to a depth of at least 2m below ground level (existing).

The development is not located within or adjacent to an interim rail corridor. Accordingly, no further consideration of this clause is required.

Division 17 relates to Development in or adjacent to road corridors and road reservation

The following table discusses the requirement of Division 17.

| Clause | Response |
|---|---|
| <p>2.115 Development other than road facilities on public roads</p> <p>(1) Development may be carried out with consent on a public road that is unzoned land for any purpose that may be carried out (either with or without consent) on land adjoining the road.</p> <p>(2) Development for any purpose may be carried out by a public authority without consent on a public road that is unzoned land.</p> | <p>The development is not proposed on part of a public road that is to be reclassified as part of this application. Accordingly, no further consideration of this clause is required.</p> |
| <p>2.116 Highway service centres in road corridors</p> <p>(1) Development for the purpose of a highway service centre may be carried out in a road corridor for a freeway, main road or tollway only with consent</p> | <p>The development is for residential accommodation only and not for a highway service centre. Accordingly, no further consideration of this clause is required.</p> |
| <p>2.117 Development on proposed classified road</p> <p>(1) Consent for development for any of the following purposes on land reserved for the purposes of a classified road (but before the land is declared to be a classified road) may be granted only with the concurrence of TfNSW—</p> <p>(a) subdivision that results in the creation of an additional lot with dwelling entitlements,</p> <p>(b) development with a capital investment value greater than \$185,000,</p> <p>(c) development for the purpose of dwellings that are, or any other building that is, to be held under strata title.</p> | <p>The development site is not located on a proposed or existing classified road. Accordingly, no further consideration of this clause is required.</p> |
| <p>2.118 Development with frontage to classified road</p> <p>(1) The objectives of this section are—</p> <p>(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and</p> <p>(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.</p> <p>(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</p> <p>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</p> | <p>The proposed development site does not have frontage to a classified road. Accordingly, no further consideration of this clause is required.</p> |

- (i) the design of the vehicular access to the land, or
- (ii) the emission of smoke or dust from the development, or
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

2.119 Impact of road noise or vibration on non-road development

- (1) This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration—
- (a) residential accommodation,
 - (b) a place of public worship,
 - (c) a hospital,
 - (d) an educational establishment or centre-based child care facility.
- (2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this section and published in the Gazette.
- (3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—
- (a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,
 - (b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

The site is not located adjacent to a classified road. Accordingly, no further consideration of this clause is required.

2.120 Excavation in or immediately adjacent to corridors

The site is not located adjacent to a classified road. Accordingly, no further consideration of this clause is required.

(1) This section applies to development that involves the penetration of ground to a depth of at least 3m below ground level (existing) on land that is the road corridor of any of the following roads or road projects (as described in Schedule 2).

2.121 Traffic-generating development

(1) This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—

- (a) new premises of the relevant size or capacity, or
- (b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.

The development does not meet the threshold requirements outlined in Schedule 3 and accordingly a referral to RMS is not required.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of eleven now repealed SEPP's being:

- SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)
- SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)
- SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)
- Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)
- SEPP No 19—Bushland in Urban Areas (SEPP 19)
- SEPP No 50—Canal Estate Development (SEPP 50)
- SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)
- Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)
- Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property (Willandra Lakes REP).

Chapter 2 of the SEPP contains planning rules and controls from the former Vegetation SEPP relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application. This chapter seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The proposed development does not propose any removal of trees. This chapter is not applicable for this development.

Chapter 3 – Koala habitat protection contains provisions from the Koala SEPP 2020 and, as an interim measure, applies in the NSW core rural zones of RU1, RU2 and RU3, except within the Greater Sydney and Central Coast areas. Given the sites location and zoning this chapter is not applicable to the development.

Chapter 4 – contains the land-use planning and assessment framework from the former Koala SEPP 2021 for koala habitat within Metropolitan Sydney and the Central Coast and applies to all zones except RU1, RU2 and RU3 in the short term. The site is not identified as containing koala habitat and accordingly this chapter is not applicable to this development.

Chapter 5 – contains the provisions from the former Murray REP, which establishes a consistent and co-ordinated approach to environmental planning and assessment along the River Murray. Given the sites location, this chapter is not applicable to this development.

Chapter 6 – Bushland in urban areas contains the provisions from the former SEPP 19, which seeks to protect and preserve bushland within public open space zones and reservations. The site is not zoned Public Open Space and is not identified as being within a reservation and accordingly this chapter is not applicable to this development.

Chapter 7 – contains the provisions from the former SEPP 50, which aims to prohibit canal estate development. The development does not propose a canal development and accordingly this chapter is not applicable to this development.

Chapter 8 – contains the provisions from the former Sydney Drinking Water Catchment SEPP to support the water quality objectives for this catchment. The site is not identified as being within the Sydney Drinking Water catchment and accordingly this chapter is not applicable to this development.

Chapter 9– contains the provisions from the former Hawkesbury– Nepean River REP to protect the environment of this river system. The site is not identified as being within the Hawkesbury Nepean River catchment and accordingly this chapter is not applicable to this development.

Chapter 10 – contains the provisions from the former Sydney Harbour Catchment SREP to manage and improve environmental outcomes for Sydney Harbour and its tributaries. The site is not identified as being within the Sydney Harbour catchment and accordingly this chapter is not applicable to this development.

Chapter 11 – contains the provisions from the former Georges River REP to manage and promote integrated catchment management policies along the Georges River

and its tributaries. The site is not identified as being within the Georges River catchment and accordingly this chapter is not applicable to this development.

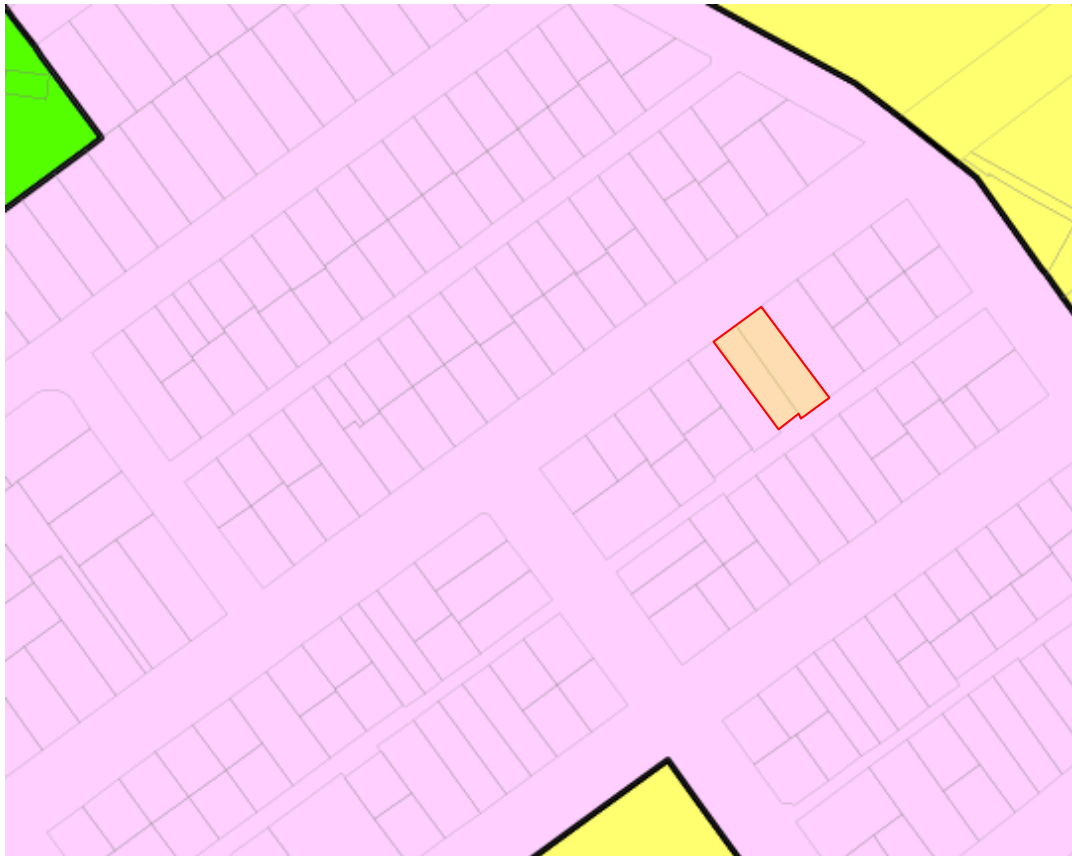
Chapter 12 – contains the provisions from the former Willandra Lakes REP, which seeks to protect, conserve and manage this World Heritage property. The site is not identified as being within the Willandra Lakes Precinct and accordingly this chapter is not applicable to this development.

GREATER TAREE LOCAL ENVIRONMENTAL PLAN 2010

As illustrated by Council's zoning map extract below, the development site is zoned R1 – General Residential under the Greater Taree Local Environmental Plan 2010.

'Health services facility' are permissible with consent under the R1 Zone

Figure 5: Zoning Map Sheet LZN_015G (Source: Greater Taree LEP 2010)



 Subject Site

A Health services facility is permissible with development consent within the R1 General residential, noting that the proposal is consistent with the definition within the LEP that is outlined below/

Health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following –

(a) a medical centre,

- (b) *community health service facilities,*
- (c) *health consulting rooms,*
- (d) *patient transport facilities, including helipads and ambulance facilities,*
- (e) *hospital.*

The table below provides detail on the development standards relevant to the current proposal.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- 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.

The proposed health services facility is compatible with the low-density residential character and the site is well located with appropriate access to public transportation and community infrastructure. The proposed scale and character of the proposal is compatible with the established character of the neighbourhood. There are no resultant detrimental impacts arising from this proposal as detailed in this submission along with the supporting technical statements.

The proposal will deliver much needed health service facility for the community as well as providing local employment opportunities. The proposed development will assist with creating vitality within this neighbourhood and a sustainable future for the local community.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

| Greater Taree Local Environmental Plan 2010 – Compliance Table | | | |
|--|------------------------------------|---|------------|
| Clause | Controls | Comment | Complies |
| Zoning | R1 – General Residential | 'Health services facilities' are permissible with Council consent in the R1 – General Residential zone. | Yes |
| Part 2 Permitted or Prohibited Development | | | |
| 2.3 | Zone Objectives and Land Use Table | The proposal is consistent with the objectives of the R1 General Residential | Yes |

| | | | |
|---|------------------------------------|---|-----|
| | | The proposal will appropriately fulfil the objectives of the zone in providing facilities and services for the day to day needs of the community members. | |
| 2.6 | Subdivision – Consent Requirements | Subdivision does not form part of the proposal. Not applicable. | N/A |
| 2.7 | Demolition Requires Consent | Council consent is sought for the demolition of the dwellings and associated outbuildings on the site. | Yes |
| Part 4 Principal Development Standards | | | |
| 4.3 | Height of Buildings – 8.5m | <p>Greater Taree Local Environmental Plan 2010 Height of Buildings Map Sheet HOB_015G indicates that the development site is subject to a maximum building height of 8.5m.</p> <p>No part of the building exceeds 8.5m in height as shown on the submitted section plans. The maximum height is approximately 8m. The building adopts a 2 storey form with an in-set upper level element.</p> | Yes |
| 4.4 | Floor Space Ratio: 0.6:1 | <p>Greater Taree Local Environmental Plan 2010 Floor Space Ratio Map Sheet FSR_015G indicates that the development site has a maximum floor space ratio of 0.6:1.</p> <p>The proposed development has provided an FSR of 0.55. Complies</p> | Yes |
| Part 5 Miscellaneous Provisions | | | |
| 5.10 | Heritage Conservation | <p>The subject site is not listed as a heritage item and is not within a conservation area. However, the subject site is adjacent to a heritage item and is in the vicinity of an items.</p> <p>As discussed previously in this SEE, the proposed development will not unduly impact on the curtilage of these items.</p> | Yes |
| 5.21 | Flood Planning | Greater Taree Local Environmental Plan 2010 Flood Planning Map indicates that the development site is not flood prone. | N/A |
| Part 7 Additional Local provisions | | | |
| 7.1 | Acid Sulphate Soils | The subject site is not identified as containing Acid Sulfate Soils under the Greater Taree | N/A |

| | | | |
|--|------------|--|-----|
| Local Environmental Plan 2010. Not Applicable. | | | |
| 7.3 | Earthworks | <p>This application seeks Council consent for minor excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, will have minimal adverse environmental or amenity impacts. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p> | Yes |

GREATER TAREE DEVELOPMENT CONTROL PLAN 2010 - PART D ENVIRONMENTAL REQUIREMENTS

All relevant Council controls have been considered in the tables below, noting that those of most relevance relate to earthworks and vegetation management.

| Part D – Environmental requirements | | | |
|---|------------|---|----------------------------------|
| Section | Controls | Comment | Complies |
| Part D3 – Earthworks, Erosion and Sedimentation | | | |
| D3.1 | Earthworks | <p>Cut and Fill and Retaining Walls – residential development</p> <p>Building work will be designed to respond to the natural topography and minimize cut and fill.</p> <p>The maximum amount of cut will not exceed 1m and no fill is proposed outside of the building footprint.</p> <p>Use of Virgin Excavated Natural Material (VENM) All land forming operations will involve the use of clean fill (Virgin Excavated Natural Material) and will meet the same salinity characteristics of the receiving land.</p> <p>Land Landscaping details which identify soil conservation, landfill stability, fill, depth, volume, quality, treatment and landscaping are provided in the attached landscaping plan.</p> <p>Water</p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> |

| | | |
|------|---|--|
| | | <p>A Stormwater management plan has been attached as part of this development application which identifies stormwater pollution controls, required easements, and depth and quality of groundwater.</p> <p style="text-align: right;">Yes</p> |
| | | <p>Rehabilitation</p> <p>The development application is accompanied by a landscaping plan which addresses the vegetation removed and retained, proposed site stabilisation, weed control programs and details of plantations.</p> <p style="text-align: right;">Yes</p> <p>Species selected will achieve short, medium and long term soil stability.</p> |
| D3.2 | Erosion and sediment control requirements | <p>The erosion and Sediment Control Plan is attached as part of this development application.</p> <p>All disturbed areas will be progressively rehabilitated and sediment and erosion controls will be implemented prior to the commencement of construction works.</p> <p>Soil and Water Management Plan Requirements</p> <p>The soil and Water Management Plan will include a detailed calculation to determine the amount of soil losses and size of any sediment basins required for the site.</p> <p>General requirements</p> <p>The proposed development will minimise the potential erosion through construction and operational controls and will minimise the extent of soil disturbance through the retention of vegetation and limiting earthworks.</p> <p>Clearing and earthworks</p> <p>The development will minimise vegetation disturbance and site excavations. An Erosion and Sediment control plan will be in place before earthworks.</p> <p>Drainage</p> <p>All upslope run-off will be managed and diverted around all areas.</p> <p>Diversion drains will be made erosion proof and will prevent sediment materials from entering open drains or watercourses.</p> <p>All roof guttering and downpipes will be installed and connected to an approved drainage system.</p> <p>Site access</p> <p>Vehicular access to the site will be restricted to a single, well defined access point and is marked on the site plan.</p> <p>Vehicular access will be controlled and prevent sediment from being tracked onto adjoining land.</p> |

Topsoil and stockpiles:

Topsoil will be stripped and saved before excavation and respread after completion of works.

Stockpiles will not be stored in public spaces including footpaths, kerb, access reserves or nature strips.

Stabilisation and rehabilitation

All disturbed areas at the completion of works will be rehabilitated and stabilised.

Part D4 – Vegetation Management

| | | | |
|-------------|-----------------------|--|-----|
| D4.1 | Vegetation Management | Removal or pruning of vegetation will comply with chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) | Yes |
|-------------|-----------------------|--|-----|

GREATER TAREE DEVELOPMENT CONTROL PLAN 2010 - PART F HERITAGE REQUIREMENTS

All relevant Council controls have been considered in the tables below, noting that those of most relevance relate to setback requirement for new development.

Part F Heritage Requirements – F2. Development Requirements

| Section | Controls | Comment | Complies |
|-------------------------------|------------------|---|----------|
| Part F2.1 – Site requirements | | | |
| F2.1.1 | Sitting setbacks | and The proposed development will provide sufficient setbacks and will have no undue impact on adjoining heritage trees. The proposed setback follows the neighbourhood setback patterns, height and scale will not over dominate the heritage item. | N/A |

GREATER TAREE DEVELOPMENT CONTROL PLAN 2010 - PART G CAR PARKING AND ACCESS

All relevant Council controls have been considered in the tables below, noting that the proposed development does not fit within a specific category in the DCP.

Part G Car Parking and Access

| Section | Controls | Comment | Complies |
|---------------------------|----------|---------|----------|
| G1 Car parking and access | | | |

| | | | |
|-------------|---|--|--|
| G1 | General requirements for all development | <p>Car parking spaces are within 3m of the street but given this is a rear lane it is considered appropriate.</p> <p>Driveways have a combined entry/exit driveway width of 6m.</p> <p>Hardstand areas are minimised and utilise concrete.</p> | <p>Variation</p> <p>Yes</p> <p>Yes</p> |
| G1.1 | Location of driveways | The driveway will be constructed to be clear of all obstructions and be in accordance with Australian Standards | Yes |
| G1.2 | Service vehicle requirements | Convenient and safe access will be provided to facilitate on-site service operations with a dedicated loading zones. | Yes |
| G1.3 | Parking requirements for specific land uses | <p>There is no specific DCP parking rate that applies as this is a cancer care treatment facility which varies significantly from the normal medical centre type facility in terms of the staffing and patient numbers</p> <p>The proposed development will provide six parking spaces as well as a pick-up/drop-off space.</p> <p>The development will remove one crossing on Cornwall street thus additional space is provided for another parking space.</p> <p>There is no specific DCP parking rate that applies as this is a cancer care treatment facility which varies significantly from the normal health services facility in terms of staffing and patient numbers. It is noted there is ample street parking within the vicinity of this site.</p> <p>The pick-up/ drop-off parking space at the front of the site can be calculated as two datum car parking spaces. A Traffic Report is provided as part of this application.</p> <p>The traffic impact statement concludes that <i>“the peak parking demand for this development will be 11 car spaces.”</i> The development proposed six car parking spaces with an additional drop-off zone at the front of the site. <i>“Parking survey of the streets near the site suggest that the overfall parking demand of the proposed development can be accommodated on street without noticeable impacts on the residential parking.”</i></p> | Merit based discussion. |

GREATER TAREE DEVELOPMENT CONTROL PLAN 2010 - PART H RESIDENTIAL REQUIREMENT

All relevant Council controls have been considered in the tables below, noting that the proposed development does not fit within a specific category in the DCP. The most relevant is the setback requirements and solar access to neighbouring properties.

| Part Residential requirements | | | |
|---|------------------------------------|---|----------|
| Section | Controls | Comment | Complies |
| H2.1 Site coverage and lot requirements | | | |
| H2.1 | Site coverage and lot requirements | The maximum site coverage will not exceed the site coverage area of 65%, the proposed ground floor coverage is 568.2m ² which will total approximately 46% of the site area. | Yes |
| H2.2 | Building setbacks | Building setbacks will be in accordance with neighbouring dwellings to maintain street character. | Yes |
| H2.3 | Building height | The development area is mapped as 8.5m, and at no point, the building height will exceed 8.5m. The proposed development will only have two levels. The maximum height to the point of intersection of wall and eaves lines is 6m above the corresponding lowest storey at any point. | Yes |
| H2.4 | Car parking and access | The proposed development is not for residential development. Not applicable. | |
| H2.5 | Private Open Space | The proposed development is not for residential development. Not applicable. | |
| H2.6 | Solar access and overshadowing | The proposed development maintains a minimum of 3 hours of solar access to adjoining dwellings as illustrated on the attached architectural plans. | Yes |
| H2.7 | Acoustic and visual privacy | All windows have been designed and oriented to minimise overlooking of main living areas and private open spaces, and landscape planting additionally assists in visual privacy. | Yes |
| | | Considerations have been given to electricity generating machines and air-conditioning units to minimise acoustic impacts by placing them on first levels away from neighbouring properties. The acoustic report is attached as part of this application. | Yes |

| | | | |
|-------|--------------------------------|--|----------|
| | | <p>The acoustic report concludes that the proposed development <i>“is compliant with the relevant noise and vibration criteria controls for this type of development.”</i></p> <p>A minimum 3m line-of-sight- separation between street/parking and bedroom windows is achieved.</p> <p>The first floor is adequately set backed to limit overlooking of private open spaces from upper levels.</p> | Yes |
| H2.8 | Views | <p>The architectural plans indicate that there will be a slight impact on the views of neighbouring properties as the majority are one-storey dwellings. The proposed development limits the size of the second floor to allow for the sharing of view..</p> <p>As mentioned above the development on the first floor is limited which satisfies the objectives of minimising view losses and maintaining of view sharing.</p> | On Merit |
| H2.9 | Safety, security and entrances | <p>The proposed development is not for residential development. However, the building will face the street with large windows in front for casual surveillance. The entrance will be easily identified, and fences and landscaping will not obstruct casual surveillance.</p> | Yes |
| H2.10 | Front Fencing | <p>No front fencing is proposed.</p> | N/A |

CONCLUSION

It is concluded that following a review of the relevant planning controls, the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.