

ADDENDUM REPORT

To: Northern Regional Planning Panel
CC: Carolyn Hunt – Senior Case Manager
From: Matthew Kelly, Development Assessment Officer
Date: 8 December 2023
Subject: PAN-333710 -0741/23DA - Lot 5 DP 5344 - 11 Duke Street & Lot 12 DP 1265199 - 9 Duke Street, Coffs Harbour
Panel Reference PPSNTH-230

Dear Panel

INTRODUCTION

The City of Coffs Harbour Council ("City") has provided its Assessment Report to the Northern Regional Planning Panel ("Panel") for Development Application 0741/23DA relating to a Boarding House and Subdivision (Boundary Adjustment) development at 11 and 9 Duke Street, Coffs Harbour, which is scheduled for determination at the Panel's meeting on 12 December 2023

Purpose

This addendum is provided to the Panel in response to late submissions received following the finalisation of the Assessment Report on 22 November 2023. This addendum addresses the late submissions where required and not already addressed within the Assessment Report.

A total of 7 late submissions were received in objection to the proposal. The late submissions have been assessed and importantly the recommendation provided within the Assessment Report remains unchanged.

The new issues raised in the late submissions are detailed and addressed in Part 1 below.

For completeness, other matters raised within the late submissions have been previously addressed within the Assessment Report is provided.

1) New issues raised

- **Potential for property damage as evidenced at 1 Duke Street**

Assessment/comment:

The submission relates to alleged property damage to 1 Duke Street from the existing Mission Australia operated boarding house at 3 Duke Street includes roof panel damage and general waste on the roof.

While not relevant to the current application, the Plan of Management submitted with the current application provides the following procedure to deal with complaints:

'The manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how manager/tenant intends minimising any further impact in the future on neighbours or between residents'.

The proposal incorporates an on-site manager who will be responsible for addressing complaints and minimising future impacts, should any unexpected vandalism occur. This matter is appropriately addressed via conditions of consent.

- **Lack of communication and consultation from Mission Australia with Aboriginal organisation and community stakeholders**

Assessment/comment:

The applicant is not obliged to consult with surrounding property owners or the community. The proposed Development Application was notified and advertised in accordance with the DCP/the City's Community Participation and Engagement Plan. The submissions received during community engagement have been assessed.

- **The proposal will not benefit homeless people or the demographic of people that require these facilities.**

Assessment/comment:

Mission Australia is a registered Social Housing Provider. The proposal will increase supply of affordable/social housing and will provide assistance to socially disadvantaged people.

- **The proposal may result in tenants accessing the bulk-billed services in the area that are overburdened and underfunded. This will reduce valuable services for those in need.**

Assessment/comment:

The proposal will cater for a maximum of 26 residents. The additional demand is not likely to have any significant impacts on health services in the area.

- **Dampness and potential for mould build up at 15 Duke Street**

Assessment/comment:

Shadow diagrams submitted with the application, as updated to reflect the revised plans, demonstrate that the proposal will not cast a shadow onto 15 Duke Street between 9:00am and 3:00pm on 21 June. The proposal will not have any notable overshadowing impacts upon No. 15 Duke Street and is unlikely to contribute to mould build up.

- **Unplanned Temporary Road Closures**

Assessment/comment:

The City is responsible for managing the occupation of the road reserve (road-way and road-side).

Recommended Condition 9 requires the preparation of a Traffic Management Plan. Should it become necessary to occupy the road reservation for any reason not included in the approved Traffic Management Plan, even short term, then a specific Traffic Control Plan for the event is to be provided to Council and separate approval under the Roads Act obtained.

As conditioned the proposed traffic impacts are considered to be acceptable.

Unauthorised road closures are a compliance matter beyond this assessment.

- **Street parking limits should be imposed on Duke Street of 2 hours or 4 hours.**

Assessment/comment:

On 3 January 2023 Council's Engineering Department investigated a public request to change the no-limit parking along Duke Street to a 2 hour parking limit. The request was not supported and the area is not currently identified as a future timed parking area.

Additionally, the construction of the proposed development would not warrant Duke Street becoming a timed parking area.

- **The development should occur as single stage development to reduce construction related impacts upon surrounding development**

Assessment/comment:

The carrying out of the development across two stages of construction is considered to be acceptable. Subject to the recommended conditions of approval the amenity of surrounding properties will be managed in accordance with standard requirements.

- **There are not sound planning reasons for requesting the boundary adjustment or FSR exemption or to expedite the development for grant purposes.**

Assessment/comment:

The building design was amended on numerous occasions to address issues identified in the assessment. This included consideration of the issues raised in the submissions.

The Clause 4.6 written request to vary the floor space ratio development standard is considered to be satisfactory.

The assessment of the Application has considered that the proposal is acceptable against the relevant considerations under Section 4.15 of the act.

- **A development impact report should be provided for 15 Duke Street including compensation payable during construction or thereafter.**

Assessment/comment:

All likely impacts of the proposal have been addressed in the Assessment Report and are considered to be satisfactory subject to the recommended conditions of approval.

A building dilapidation report will provide a record of the condition of 15 Duke Street prior to development being carried out. This arrangement is standard and is considered satisfactory.

- **The premises at 15 Duke Street currently operates as a medical centre. The submission requests a variety of special conditions to maintain the function of the premises during construction, including:**
 - **Noise proofing of 15 Duke Street**
 - **Construction methods and machines are approved by 15 Duke Street prior to construction**
 - **Minimum 30 day notice for general road closure/traffic disruption or major disruptive works**
 - **No closure of roads or access to 15 Duke Street to enable emergency access**

Assessment/comment:

There will be inevitable impacts associated with construction of the development. The recommended conditions of consent will ensure that development is undertaken in a manner that will eliminate or satisfactory mitigate environmental impacts on the amenity of adjoining or surrounding properties.

The requested works and restrictions raised in the submission are beyond what is considered reasonable for the proposal.

Note: The City's records indicate that No. 15 Duke Street is lawfully approved as a dwelling house. The submission indicates that the building is currently being used as a medical centre.

Conclusion

The matters raised within the late submissions have been satisfactorily addressed above.

The recommendation contained within the Assessment Report remains unchanged, that is:

0741/23DA - Lot 5 DP 5344 - 11 Duke Street & Lot 12 DP 1265199 - 9 Duke Street, Coffs Harbour for the Construction of a Boarding House and Subdivision (boundary adjustment) is approved subject to conditions.