

Attachment B: DCP Table of Compliance

Clarence Valley Council Development Control Plan for Development in Environmental Protection, Recreation and Special Use Zones

Control	Requirement	Proposed	Complies
Part C General Development Controls			
C1 Objectives	<p>The following objectives should be met in designing development in E and other zones:</p> <p>(a) Development which is responsive to site constraints and the surrounding environment.</p> <p>(b) Development which is of a high quality and is sensitive to the rural character of the locality in which it is being developed.</p> <p>(c) Development that is functional and appropriate for the type of use /activity being provided.</p> <p>(d) Development /uses that provide adequate buffers to residential and other development to reduce conflicts between rural/agricultural uses and residential amenity.</p>	<p>The development is appropriately designed in regard to the site constraints and surrounding environment, is in character with surrounding locality, is functional for the proposed uses and does not conflict with the surrounding uses.</p>	Complies
C4 Streetscape Requirements	<p>C4.1 Presentation to Street</p> <p>New development should face the street. Long walls should be broken into sections by the use of bay windows, verandahs, balconies or wall offsets. This should create a balance between areas of solid wall and openings such as doors and windows. The main entry to a building should be visible from the street to convey a sense of address.</p>	<p>The proposed development is located within part of the existing Grafton Correctional Services building located in Arthur Street. The works are predominantly internal and are considered sympathetic to the heritage significance of the site. Removal of the Hill's Weeping Willon tree at the front of the entrance</p>	Complies

		will provide better visibility and passive surveillance in line with the CPTED principles.	
	C4.2 Setbacks Setbacks should provide sufficient space for landscaping and allow for the retention of existing vegetation where possible.	No specific setbacks apply to development within the SP2 zone.	Complies
	C4.3 Heritage New development near heritage buildings and in heritage conservation areas should be sympathetic in design and should not detract from the existing streetscape character.		Complies – The new works will not detract from the heritage significance of the site or nearby heritage items as the works are predominantly internal
	C4.4 Building Height		N/A – No building height applies to the land under the LEP Clause 4.3
	C4.5 Buildings on corner lots	The site is located on a corner however is within an existing building.	Complies – existing building and structures
	C4.5 Roofing Variation in roof forms is encouraged to add interest to the streetscape. In established areas roofs should be compatible with the pitch, materials and colour of roofs of surrounding development.	Installation of a new roof for Blocks A and B is proposed as part of the development which will be consistent with the existing roof form.	Complies
	C4.7 Fences and Walls Front fences and walls should be compatible with the character of the locality.	There is no change proposed to the existing fencing	N/A
	C4.8 Landscaping Landscaping should soften the hard edges of buildings and reduce the bulk and visual impact of development. Significant	There will be no substantial changes to landscaping around the Grafton Correctional Centre	Complies

	trees should be retained and incorporated into the landscaping.	other than the removal of two trees	
C5 Building Design Requirements	C5.1 Siting Building design should take advantage of the sub-tropical climate, provide for views, provide outdoor living areas and provide protection from sun and rain.	The renovations and internal fit-out will be general sympathetic to the character and architecture of the existing building as the functional use is by a government agency to support front line service delivery.	Complies
	C5.2 Cut and Fill The maximum height for cut and fill is 1.2 metres above or below the existing ground level. On steeper sites an excavation above 1.2 metre can be approved where it will be retained by the wall of the proposed building, e.g. under floor garage.		N/A – There is no cut and fill required for the development.
	C5.3 Energy Efficiency The NSW Government Building Sustainability Index (Basix) covers most new residential development including dwellings, alterations and additions and swimming pools.		N/A – Not for residential development
	C5.4 Materials and Colours Materials and colours to appropriate to the existing character of an area. Zincalume and white colorbond roofs will not be permitted where reflectivity and glare are a potential problem to adjoining residences.	The exterior and interior paint schedule and the materials will change from what currently exists because of the redevelopment. However, the works are considered suitable and approval under Section 60 has been granted by NSW Heritage.	Complies
	C5.5 Carports and garages		N/A

	C5.6 Enclosure of subfloor area		N/A
	C5.7 Privacy Direct overlooking of living areas of adjacent dwellings should be avoided by building layout, location and design of windows and balconies, screening devices and landscaping.		N/A – Development Is not located adjacent any dwellings
	C5.8 Design Quality Principles for residential flat buildings		N/A- Development not for a residential flat building
C6 Consideration of the NSW Coastal Policy and NSW Coastal Design Guidelines			N/A – Not located within the coastal zone
C7 Requirements where there is a potential to impact on coastal views			N/A – Not located within a coastal area
C8 – C12 Controls for Residential Development			N/A – Development is not for residential development
C13 -16 Controls for development in SP3			N/A – Development not located within SP3 zone
C17 Setbacks			N/A - No controls set for SP2 zone. No changes to existing building setbacks are proposed under this proposal.
C18 Development on Flood Liable land	Development of flood prone land must comply with the requirements of PART D Floodplain Management Controls of this DCP		Complies – Refer to Part D consideration below
C19 -C21 Building Height Controls			N/A – No Building height controls set for SP2 zone
C22 Development on land identified	Specific controls apply to disturbance of land classified and identified on Acid Sulfate Soils Planning		Complies - The subject land is identified as containing Class 4 Acid Sulfate Soils.

on Acid Sulfate Soils	Maps. See CV LEP 2011 clause 7.1 Acid Sulfate Soils.		<p>No works are being carried out more than 2 metres below natural ground surface or whereby the watertable is likely to be lowered more than 2 metres below natural ground surface</p> <p>Therefore, the works do not trigger the need for an Acid Sulfate Soils Management Plan.</p>
C23 Controls for Bushfire Prone Land	On bush fire prone land, a development must comply with the NSW Rural Fire Service Planning for Bushfire Protection 2006.		N/A – the lot is not located on bushfire prone land
C24 Sites Subject to Land Slip /Geotechnical Hazard			N/A – Site is not subject to Land slip/Geotechnical Hazard
C25 Waste Management	Any waste that is generated must be disposed of in accordance with the Protection of the Environment & Operations Act 1997 and Regulations and the Local Government Act 1993.	A Waste Management Plan was submitted with the application.	Complies – conditions apply
C26 Provision of Essential Services	C26.2 Supply of Water Development must be connected to a reticulated town water supply system at a point acceptable to Council.		Complies - The development will be connected to Council's reticulated water supply system
	C26.3 Disposal and management of sewage Development must be connected to a reticulated sewerage system or if not available, a wastewater disposal system must be provided to comply with the Council's On-site Wastewater Management Strategy 2005.		Complies - The development will be connected to Council's reticulated sewer supply system

	C26.4 Supply of Electricity Council may impose a requirement for a mains power supply to be provided for development proposed in SP2 zones		Complies - The site is connected and has access to a mains electricity supply
	C26.5(k) Provision of suitable road access in SP3 and other zones Development must be serviced by a suitable sealed constructed vehicular access that has direct frontage to a sealed public road or a Category 1 unsealed road that is listed in Councils adopted Road Maintenance Policy		Complies - The access is a sealed Council maintained road
	C26.5(l) All zones In the case of bushfire prone land, road access should also comply with minimum access requirements specified by Planning for Bushfire Protection 2006.		N/A – Not located on bushfire prone land
	C26.6 Stormwater Management Development must comply with the requirements of Part G Sustainable Water Controls and Part H Erosion and Sediment Control and the latest Northern Rivers Design Manuals.		Complies - The improved stormwater design is above that required by Council's DCP.
	C26.7 Provision of other services Development must be serviced by telecommunications and street lighting, as further provided for in Part I10		Complies - The site is has access to telecommunications and existing street lighting
C27 Sheds and Occupation of sheds and Caravans			N/A – The development does not propose construction of sheds within the SP3 or E3 zones

C28 Fences and Walls – SP3 zone			N/A – Development not located on land zoned SP3
Part D Floodplain Management Controls			
<p>As considered under Clause 5.21 of the LEP considerations, the site is mapped as being located within the Flood Planning area under the 2013 flood model. A Flood Impact Assessment (FIA) was commissioned and prepared by BMT Commercial Australia Pty Ltd for the development using the Lower Clarence Adopted Flood Model (referred to herein as the 2013 Flood Model).</p> <p>The FIA was based on a refined version of the flood model which included consideration of the existing solid walls within the Gaol which is more representative of the site). The FIA identifies that the development remains outside of the flood extent for all modelled events although it is mapped as being within the flood planning area under Clause 5.21 of the LEP.</p> <p>In any case, the development is located within an existing building and a condition of consent requiring all new building construction below 6.4m Australian Height Datum (AHD) to be of flood compatible materials, except where necessary to match existing.</p> <p>Council is satisfied that the development is compatible with the flood behaviour of the land and will not result in any risk to life in the event of a flood.</p>			
Part E Heritage Conservation			
<p>The detailed Statement of Heritage Impact (SOHI) prepared by Tim Hill Heritage Management & Planning Pty Ltd dated September 2023 provided a comprehensive report and a sound basis for assessment of the heritage significance of the item and its fabric.</p> <p>The SOHI concluded that the proposed acquisition and enabling works at the Arthur Street Gatehouse, Block A and Block B of the Grafton Correctional centre for the administration, training and support functions of the Grafton Base Hospital will not have a significant impact on the heritage values of the Grafton Correctional Centre heritage site. The Proposed Works primarily involve the demolition of internal structures and non-significant fabric. The renovations are required to update amenities and to provide a layout that meets the support requirements of the Grafton Base Hospital during its redevelopment. The Proposed Works are in accordance with principles and policies of the Grafton Correctional Centre Conservation Management Plan.</p> <p>As the works do not affect any structures which are identified as having a moderate or high heritage significance, the SOHI did not recommend any specific heritage controls for the demolition and renovation works.</p>			
Part F Parking and Vehicular Access Controls			
<p>The objectives of Part E of the DCP are to ensure that the car parking demands generated by development are met onsite and parking areas are visually attractive and constructed designed and situated as to encourage their use.</p> <p>Under Table F1 of the DCP, health services facilities typically require 1 space per 5 beds plus 1 space per employee plus an ambulance space.</p> <p>The development does not propose any onsite or additional parking to cater for the development and no onsite parking currently exists.</p>			

However, as the development is for the relocation of existing GBH administration staff from the hospital to the site, there is no anticipated increase in staffing levels than what currently exist.

Further clarification sought from the applicant has determined that the relocation of administration staff from the existing GBH to the former Correction Services site results in a reduction in existing office floor area in the GBH from 1,693m² to 1,258m² in the new facility. Additionally, the closure of the Correctional Services Facility has overall reduced long term parking demand in the vicinity of the site.

As part of the application, the applicant submitted a Traffic Impact Assessment (TIA) prepared by Bitzios Consulting dated 11 September 2023. The TIA considered both the subject development and the traffic/transport impacts and requirements related to the incorporation of the site into the existing administration and training operations of the GBH.

The TIA identified pedestrian pathways on both sides of Arthur Street with multiple driveways, angled rear to kerb parking which restricts pedestrian movements across Arthur Street. No formal pedestrian crossing facilities currently exist on the section of road between the site and the GBH.

To improve pedestrian movements between the site and existing GBH, the TIA recommended the provision of a new pedestrian crossing. To accommodate the proposed pedestrian crossing along Arthur Street, the TIA identifies 10 on-street car parking spaces that would require removal, reducing the total available parking spaces along Arthur Street to approximately 73.

While the parking availability in the vicinity would be reduced by the proposed works, the subject development does not anticipate increase in staff numbers and the pedestrian access from the southern parking areas to the GBH would be improved. On that merit, the on-street parking loss is considered acceptable though works in future DA's will need to accommodate more suitable long-term parking for staff (see note below).

It is concluded that, parking for the development is adequate and is currently provided for through a mix of onsite parking at the hospital and within the adjoining road reserves within the vicinity of the site and GBH. Furthermore, it is deliberated that the loss of on-street carparking spaces will not impact on current operational uses within the vicinity of the GBH subject to the construction of a new pedestrian crossing in Arthur Street. Appropriate conditions of consent have been included in Attachment A and these have been accepted by NSW Health Infrastructure.

Note:

The Traffic Impact Assessment report submitted with the application recognises a total of 299 parking spaces available within the vicinity of and internal to the GBH (Table 2.1). However, assessment by Council's Development Engineer questions the inclusion of 99 of those spaces in Areas 1, 2, 4, 5, 6, 8 and 17. For the purposes of this development application, Council staff accept that no additional parking is required as the development reduces the existing floor area from 1,693m² to 1,258m² and there is no anticipated increase in staff numbers. The car parking numbers is not a key issue for this application, however staff wanted to flag this as an issue for any future applications.

Part G Sustainable Water Controls

Part G Sustainable Water Controls	This section applies to all new development other than dwelling houses	The Proposal will not result in any additional impervious areas or generate additional	Complies – Conditions apply
--	--	--	-----------------------------

		stormwater. A Civil Engineering Design details water quality management measures proposed to reduce pollutants as part of the Proposal.	
Part H Erosion and Sediment Controls			
H3 Erosion and Sediment Control Plans OR 'Deemed to Comply Statements'	Either an Erosion and Sediment control Plan (ESCP) or a Deemed to Comply Statement must be submitted with a Development Application.	A Sediment and Erosion and Control Plan was submitted.	Complies – conditions apply
H8 Code of Practice / Conditions of consent for All Development that Includes Building Works		Conditions to be applied to the consent	Complies
Part I Subdivision and Engineering Standards			
I3-I7 Subdivision Controls			N/A – the development is not for subdivision
I8 Site Access	Vehicular access driveways from a public road must comply with Australian Standard 2890 and generally be: (a) Not closer than 6 metres to the kerb return tangent point of an intersecting road or beak in a traffic island. (b) Located so that sight distance is adequate for the 85th percentile speed of vehicles or the speed zone, whichever is the greater.	Vehicular access to the site is off Arthur Street, a Council maintained Road and is not within 6m of an intersection. Adequate sight distance is provided.	Complies
I9 Stormwater management	Stormwater should be managed so there is minimal or no impact on the natural environment and be based on the principles of 'water sensitive urban design'.	Existing stormwater infrastructure within the site will be replaced	Complies
I10 Provision of Services	Subdivision of land requires the provision of	Whilst the development is not	Complies

	services and infrastructure to all lots	for subdivision, essential services will be provided as per Clause 7.8 of the LEP.	
I11 Street planting	Where a subdivision includes road construction, street landscaping and tree planting must be provided.		N/A – the development is not for subdivision
Part J Advertisements and Advertising Structures			
Part J Advertisements and Advertising Structures	To ensure that advertising structures complement the development on which it is displayed	The signage proposed includes building identification and directional signage. All building signage to comply with the exempt provisions or a separate development application may be required.	Complies
Part S Controls for Biodiversity and Habitat Protection			
Part S Controls for Biodiversity and Habitat Protection	<ul style="list-style-type: none"> • To protect, maintain and improve native biodiversity in the Clarence Valley LGA. • To ensure retained is protected and managed. • To ensure that construction and indirect impacts of development are mitigated using current best practice standards. 	<p>Two trees are proposed to be removed to facilitate the development.</p> <p>An Arboricultural Impact Assessment (AIA) prepared by Civica dated 26 September 2023, was submitted with the development. The AIA assessed the quality of 25 trees on and within the vicinity of the site, determining whether trees would be directly or indirectly impacted by the development.</p> <p>The AIA recommended that the Hill's Weeping Fig be removed to allow enhanced visibility to the existing entrance as retention would require a redesign of the entry</p>	Complies – conditions apply

		<p>way. Given the small stature, inappropriate location in close proximity to the concrete footpath and heritage wall and low retention value, the removal of the tree should not be considered a constraint on the development.</p> <p>The second tree recommended for removal is an Umbrella tree which is recommended for removal as it is an inappropriate species and is likely to negatively affect the stability of the brick wall and/or structure of the Fig tree.</p>	
--	--	---	--