

NOTES FROM INFORMAL COUNCIL PRE-DA MEETING

**PROPOSED RESIDENTIAL SUBDIVISION OF LAND AT CORNER CHIFLEY ROAD AND
 MORISSET PARK ROAD, MORISSET PARK
 (LOT 9 DP 244002 AND LOT 358 DP 755242)**

LAKE MACQUARIE CITY COUNCIL

10.00AM TO 10.45AM – TUESDAY, 4 DECEMBER 2007

PRESENT:

Project Team

David Humphris (DH)	de Witt Consulting
Bernie de Witt (BdW)	de Witt Consulting
Ritchie Sneddon (RS)	de Witt Consulting
Cedric Wright (CW)	Landowner
Ian Cairns (IC)	Landowner

Council Officers

Greg Field (GF)	Chief Subdivision Engineer
-----------------	----------------------------

Appendices

Survey Plan, Site Analysis Plan, Structure Plan and Proposed Plan of Subdivision

Item	Issue/Discussion	Action Required
1.	DH advised that land had now been rezoned 2(1) Residential pursuant to LEP Amendment No. 10. DH reviewed Survey Plan, Site Analysis Plan and Structure Plan that had been prepared in support of the rezoning application (see Appendices 1, 2 and 3).	Noted.
2.	DH presented a Plan of Proposed Subdivision for 71 standard residential lots (see Appendix 4). This was the same plan prepared and lodged with Council as part of the rezoning application.	Noted.
3.	DH advised that detailed specialist reports had been prepared in support of the rezoning application. Any subdivision DA to Council would be supported by either new or updated specialist reports. This would include the following: 1. Updated Fauna and Flora Assessment (which would	Noted.



Item	Issue/Discussion	Action Required
	<p>include an updated habitat tree assessment).</p> <ol style="list-style-type: none"> 2. Landscape Concept Plan 3. Visual Impact Assessment 4. Updated Bushfire Report 5. Updated Traffic Report 6. Stormwater Management Plan 7. Preliminary Road Design 8. Cultural Heritage Assessment (already prepared as part of the rezoning) 	
4.	<p>DH advised that the Stability Assessment, Phase 1 Contamination Report and the Social Impact Assessment prepared for the rezoning were considered to be sufficient for DA purposes. GF confirmed that this was acceptable.</p>	Noted.
5.	<p>GF advised that overall he was supportive of the proposed residential subdivision layout.</p>	Noted.
6.	<p>GF advised that the existing easement for drainage between proposed Lot 72 (detention basin) and Chifley Street would need to accommodate any emergency overflow. This may require certain physical works which should be discussed with the landowner prior to DA lodgement.</p>	De Witt Consulting to liaise with landowner and Northrop Engineers.
7.	<p>GF advised that our traffic engineer should have discussions with Council' Traffic Engineer (Susi Vijeyasingham) about the recent Johnson Property developments in the area and the associated road intersection improvements to be implemented by the Johnson Group. This includes a roundabout at the intersection of Fishery Point Road and Morisset Park Road (through a Voluntary Planning Agreement).</p>	De Witt Consulting to brief Traffic Engineer.
8.	<p>GF advised that LEP 2004 requires 10% (ie. around 7 lots) to comprise small lot housing lots (between 250sqm and 450sqm). This could be achieved by allocating 4 lots for future dual occupancy development (ie. a total of 8 small lot housing lots). Alternatively we could allocate 2-3 lots for future dual occupancy development and lodge a SEPP 1 Objection with the DA.</p>	De Witt Consulting to amend Plan of Proposed Subdivision.
9.	<p>GF advised that the DA should identify any regrading required along the Morisset Park Road frontage.</p>	Noted.
10.	<p>GF advised that the 14m and 14.5m wide roads proposed were satisfactory.</p>	Noted.
11.	<p>GF advised that Northrop Engineers should discuss stormwater management issues directly with him.</p>	De Witt Consulting to brief Northrop.
12.	<p>GF advised that the DA should identify whether any trees along the Morisset Park Road reserve would need to be removed to address bushfire APZ requirements. The DA should also address whether a bushfire access track will be required along the western boundary of Lot 358.</p>	De Witt Consulting to brief Bushfire Consultant and make any amendments to Plan of Subdivision.
13.	<p>GF advised that the DA should also seek consent for the demolition of the existing dwellings and structures on the site to ensure this is made clear.</p>	Noted.



Item	Issue/Discussion	Action Required
14.	DH advised that pursuant to SEPP 71 – Coastal Protection the site is located within the coastal zone and is classified as a sensitive coastal location (as it is within 100m of a National Park). As a result, a Master Plan approved by the Minister for Planning is required prior to the granting of consent, unless the Minister agrees to waive the Master Plan requirements. DH advised that discussions would be held with the Regional Office of the DOP to seek a waiver from the Master Plan requirements, particularly given the adequacy of Council's DCP No. 1 Controls that apply to any future development on the site.	De Witt Consulting to discuss with Regional Office of DOP.

Note: Following the pre-DA meeting, Greg Field provided the following additional information to de Witt Consulting by telephone:

Item	Issue/Discussion	Action Required
1.	<p>GF advised that pursuant to the provisions of SEPP (Major Projects) the site is located within the "<i>metropolitan coastal zone</i>". Furthermore, the site is located within a "<i>sensitive coastal location</i>" pursuant to the definitions in Schedule 2. This is because part of the site is within 100m of a National Park (Lake Macquarie State Conservation Area - Morisset Site).</p> <p>Pursuant to the above it appears that the site may be subject to the provisions of Schedule 2 (a declared Major Project), Clause 1(1)(j) which states the following:</p> <p><i>"(j) subdivision for residential purposes of land that is not in the metropolitan coastal zone (unless it is wholly or partly in a sensitive coastal location):</i></p> <p><i>(i) into more than 25 lots, or...."</i></p> <p>Pursuant to the above it may be the case that the proposal is classified as a Major Project where the Minister (rather than Council) is the consent authority. Therefore, the confirmation of the Minister should be sought.</p>	De Witt Consulting notes the comments of Council. The opinion of the Minister (ie. the Department of Planning) will be sought to confirm who is the consent authority. In this regard it is relevant to note that once a proposal falls within Schedule 2 of the Major Projects SEPP (which is the case with this proposal), the Minister also has to be satisfied that the project is of State rather than Local significance. In this case, de Witt Consulting is of the view that the project is of local significance. Furthermore, the site was the subject of a recent rezoning application approved by the DOP which did not raise matters of State significance and was approved.
2.	GF advised that the site was classified as having the potential for Acid Sulfate Soils (Class 5). This would need to be addressed in the geotechnical report.	Noted.

APPENDICES:

- Appendix 1: Detail and Contour Survey prepared by de Witt Consulting
- Appendix 2: Site Analysis Plan prepared by Halo Architectural Design Services
- Appendix 3: Structure Plan prepared by Halo Architectural Design Services
- Appendix 4: Proposed Plan of Subdivision prepared by de Witt Consulting



APPENDICES



APPENDIX 1

Detail and Contour Survey Plan prepared by de Witt Consulting



APPENDIX 2

Site Analysis Plan prepared by Halo Architectural Design Services



APPENDIX 3

Structure Plan prepared by Halo Architectural Design Services



APPENDIX 4

Proposed Plan of Subdivision prepared by de Witt Consulting