

## PROPERTY DETAILS

<b>Property Address</b>	507 Medowie Road MEDOWIE
<b>Lot and DP</b>	LOT: 412 DP: 1063902
<b>Current Use</b>	Residential Rural Property
<b>Zoning</b>	R2 LOW DENSITY RESIDENTIAL / PART R5 LARGE LOT RESIDENTIAL / PART RU2 RURAL LANDSCAPE
<b>Legislation/Policy</b>	<p>State Environmental Planning Policies:</p> <ul style="list-style-type: none"> <li>- SEPP (Infrastructure) 2007;</li> <li>- SEPP (State and Regional Development) 2011;</li> <li>- SEPP14 (Coastal Wetlands);</li> </ul> <p>Port Stephens Local Environmental Plan 2013; and          Port Stephens Development Control Plan 2014</p>
<b>Site Constraints</b>	<p>Bush Fire Prone Land, Category 3;          Bush Fire Prone Land, Vegetation Category 1 &amp; 2;          Acid Sulfate Soils, Class 3, Class 4 &amp; Class 5;          Koala Habitat Planning Map;          Height Trigger Map;</p>

## MEETING DETAILS

<b>Date:</b>	10 August 2017
<b>Time:</b>	2pm
<b>Proposed Development:</b>	Proposed Catholic School Medowie
<b>Attendee(s):</b>	<p>Christopher Myors          Mark Maund          Jon Webber          Tim Hayes          Sandra Hinchey          Bryn Cotterill          Matt Borsato          Brett Gardiner          Emilia Johnstone</p>

<b>Council Officer(s):</b>	<i>Name</i>	<i>Contact No.</i>	<i>Position</i>
	Bryn Cotterill	4980 0376	Senior Development Engineer
	Matt Borsato	4980 0282	Senior Strategic Planner
	Brett Gardiner	4980 0213	Planning and Development Coordinator
<i>Absent:</i>	Carlie McClung	4980 0139	Senior Environmental Planner
<b>Applicant/ Proponent(s):</b>	<i>Name</i>	<i>Contact No.</i>	<i>Position</i>
	Sandra Hinchey Tim Hayes Jon Webber	4926 1078	Webber Architects
	Mark Maund	***	deWitt Consulting
	Christopher Myers	***	Catholic Schools Office

## NOTE

- 1) These minutes identify key issues discussed between Council staff and the proponent and do not seek to represent the full discussion undertaken;
- 2) The views expressed may vary once detailed plans and documentation are submitted and formally assessed, or as a result of issues contained in submissions by other parties; and
- 3) Amending the request/proposal will require further assessment.

## Development Proposal

The proposal is for a **Catholic College** located at **507 Medowie Road Medowie**. LOT: 412 & 413. DP: 1063902. The proposal includes:

- Demolition of existing dwelling, shed and out buildings
- Construction of 3 stream primary school and 7 stream high school
- Place of worship
- Residential duplex
- Child care centre
- Associated works: car park, retaining walls, landscaping, etc.



## Issues Discussed

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### 1. Acceptability of proposal regarding zoning of land

#### - relationship to rural residential

Issues of rezoning were discussed over the phone prior to the meeting. It was established that the no rezoning would be necessary as the proposal is a permissible form of development under SEPP (Infrastructure) 2007. It was established that the proposed development was not inconsistent with the objectives of the R2 Low Density Residential zoning, or the amenity and character of the area.

The ancillary buildings on site (as marked grey on plans) proposed for commercial use were generally not supported, unless a direct link or relationship can be established to the school. Use of these buildings for childcare centres or out of school hours care would be acceptable.

In regards to setback and fencing, it was established that the development would be based on merit and should include relevant justification. There were a few options discussed in regards to setback area, including a landscaping buffer and open carpark, and use of lower planting in substitution or addition to fencing.

It was established that there would be no need for conditions of consent surrounding hours of operation as majority of use taking place during school hours of 9am and 3pm. It was established that the additional after school use of hall and child care centres, is to be expected.

### 2. Car parking requirements and potential South Street/Medowie Road intersection upgrade

The South Street/Medowie Road intersection requires upgrading to include a dual-lane round-about in preparation for lane duplication of Medowie Rd. There is potential to consider contributions in lieu of works to the school's smaller round-a-bout to allow for infrastructure to be set for a future dual lane upgrade. Contributions plans would need to be discussed at a later date with more design details at hand.

The impacts of bus movements within the site were discussed and possible design ideas to cope with these movements. The possible implementation of a service road parallel to Medowie Road was considered. It was established that this would allow for bus drop off and pick up areas, as well as providing a space for car drop offs without having to utilise car park spaces for such purposes. A possible second entry off Medowie Road was also raised for consideration.

The need for a Traffic Impact Assessment was raised. It was noted that the estimated traffic generation would trigger a referral/concurrence requirement with RMS.

### 3. Ecology requirements relative to SEPP 14

- Bushfire
- koala habitat



## - **clearing of vegetation**

Ecology staff were unable to attend the meeting, however did provide some points for consideration. The site is subject to a range of ecological constraints, including:

- The site is located within a 6 generational persistence area for koala
- Mapped as preferred Koala habitat and likely to be on the eastern extent of the Campvale Koala Source Population.
- Mapped SEPP14 (No. 813) and LEP wetlands
- Forms part of the OEH Regional Fauna Corridor and Port Stephens Combined Biodiversity Corridor. The species to be noted include the squirrel glider, brush-tailed phascogale, koalas and wallum froglet.

It was established that many of these constraints were addressed in the independent preliminary ecological assessment that has already been undertaken. Majority of the site constraints are considered to impact the rear of the site and be outside the development footprint, however part of the development is within vegetation mapped as preferred koala habitat and Swamp Sclerophyll Forest Endangered Ecological Community (TSC Act). It was also noted that the proposed APZ for the school is well within the SEPP14 wetland boundary and in preferred koala habitat/Swamp Sclerophyll Forest Endangered Ecological Community. The applicant was referred to Council's ecologist Carlie McClung to arrange further consultation on the matter.

## 4. **Height limit**

- **Hall**
- **place of worship**

The height limit of the area was confirmed to be 9 meters. The applicant confirmed that the 'place of worship' would meet this requirement. However, it was considered that the hall may require exception under clause 4.6 (Exceptions to development standards) of the PSLEP 2013. It was established that there is no set numerical value that an exception must adhere to, rather the assessment would be based on merit. Points that should be included in any request for an exception include visual impact on the streetscape, bulk and scale, articulation, and the overall design.

## 5. **JRPP/SSD requirements and process**

Following initial comments at the meeting which indicated that the JRPP trigger for the development was a value of works of \$20million, staff have undertaken a review of the relevant legislation.

Clause 6 of Schedule 4A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) sets the trigger value for educational establishments at \$5million. Further, clause 15 of Schedule 1 of *SEPP (State and Regional Development) 2011* defines educational establishments with a value of works of more than \$30million as State Significant Development.



Given the anticipated value of works between \$48million and \$50million, the development would constitute State Significant Development with the Minister for Planning being the consent authority.

Accordingly, Secretary's Environmental Assessment Requirements (SEARs) will need to be obtained, prior to lodgment of an application.

It is noted that in accordance with section 23 of the EP&A Act that the minister can delegate their planning powers to Council, a JRPP or the Planning Assessment Commission for such an application. An applicant has the ability to request the minister delegate their planning powers, and such a request should be lodged with an application for SEARs. The request should include justification as to why the minister should delegate their powers, as well as a letter of support from the intended delegate. Such a letter of support would require endorsement from Councils Executive Leadership Team (ELT). Early enquiries with ELT have shown that the benefit of pursuing delegation would need to be clearly demonstrated in a formal request from the applicant, and may not be supported if outcomes are determined that negatively impact on Council's abilities to carry out its normal functions.

## Supplementary Information

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Sandra stated that there has been a number of preliminary investigations undertaken for the site including a Planning Investigation Report, Ecology Report and Bushfire Report of which established similar issues and constraints to what council officers had raised. It was mentioned that SEPP14 Coastal Wetlands and SEPP (State and Regional Development) 2011 are to be considered within the planning process.

The need for a noise assessment was addressed. Matt raised that the lot is situated outside of the contours, and therefore there is no specific requirements for an assessment to be carried out. However, it was highly suggested by Matt that a Noise Impact Assessment be carried out as the land is situated close to the contour and may be still affected. A Noise Impact Assessment can ensure that the building design would have a sufficient Acoustic Rating and essentially cover any changes that may occur in regards to noise impacts of RAAF aircraft. There was also consideration given to the noise impact that the school may have on the surrounding areas. It was suggested that a noise impact assessment may be conducted in order to assess the impact of the school and its attendants on the surrounding neighbours.

It was mentioned that Chapter B7 of the PSDCP2014 is to be considered as there is potential for the application to be referred to Commonwealth Department of Defence for comment on the noise sensitivity, building height and extraneous lighting. In the same regard, Clause 7.4 of the PSLEP2013 specifies that if the proposed development may penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless there has been consultation with the relevant Commonwealth body (structures higher than 7.5m on Lot 412; structures higher than 15m on Lot 413) Both regulations mean that the application has a possibility of referral to the Department of Defence for comment.



The site is located within the Grahamstown Dam Drinking Water Catchment. Clause 7.8 Drinking Water Catchments applies to proposed development. Chapter B4 Drainage and Water Quality applies to proposed development. Development needs to demonstrate a 'Neutral or Beneficial Effect' on water quality. The proponent should undertake preliminary consultation with Hunter Water Corporation.

It was noted that the site is subject to a large range of flood hazard categories and a Flood Certificate should be applied for from <http://www.portstephens.nsw.gov.au/grow/land-environment-and-heritage/flooding/flood-certificates> ahead of lodgement to gain more certainty of potential impact on proposed building location and any potential restrictions of use.

The meeting concluded with remarks made about Medowie as a growing area, of which specific goals are outlined in the Medowie Strategy. The land on which the school is proposed is identified as a school site within the Strategy, and it is expected to add to the growth of the suburb as a whole. A timeframe for the application and development was proposed, with hopes that development will begin onsite by 2019, with the first stages to be ready for opening by 2020.

## DA Lodgement

The applicant is advised that any future development application must be lodged with supporting information in accordance with Schedule 1 of the *Environmental Planning and Assessment Regulations 2000*, inclusive of the following:

	DEVELOPMENT TYPE																						
		Dwelling House (1 storey)	Dwelling House (2+ storey)	Semi-Detached Dwelling	Secondary Dwelling	Dual Occupancy	Attached Dwellings	Multi-Dwelling Housing	Residential Flat Building	Alterations /Additions	Outbuildings (i.e. pergolas)	Pools	Commercial / Retail / Office	Change of Use	Industrial	Home Business / Home Industry	Community Facility	Tourism	Signage	Demolition	Earthworks	Temporary Event / Land Use	Subdivision
SUPPORTING DOCUMENTATION PLANS	Elevation Plans	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				
	Erosion Sedimentation Plan	B	B	B	B	B	B	B	B	B	B	B	B		B	B	B		B	✓			DCP
	Floor Plans	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				
	Landscape Plan					✓	✓	✓	✓				✓	✓	✓	✓	✓						DCP
	Notification Plan (A4)		✓	✓	✓	✓	✓	✓	✓	2**			✓	✓	✓	✓	✓	✓				✓	DCP
	Sections	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				✓	
	Signage Plan																		✓				
	Site Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Site Analysis Plan*	B	B	✓	✓	✓	✓	✓	✓	B	B		✓		✓	✓	✓	✓					✓
	Stormwater Drainage Plan	B	B	✓	✓	✓	✓	✓	✓	B		B	✓		✓	✓	✓	✓					✓
	Survey Plan/Reference Levels	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓			✓		✓
	BASIX Certificate	✓	✓	✓	✓	✓	✓	✓	✓	C		C											
	Subdivision Plan																						✓
	REPORTS	Demolition Plan																			✓		
Statement of Environmental		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Waste Management Plan		B	B	B	B	B	B	B	B	B	B	B	B		B	B	B						

- ✓ Mandatory. Application will not be accepted without this documentation.
- \* Can be incorporated on site plan
- 2\*\* For 2+ Storey Structure
- C BASIX certificate is also required for residential alteration/additions with a value greater than \$50,000 and pools with more than 40,000 litres.
- B Beneficial. It will facilitate and speed up the assessment process. May be requested during assessment if not provided at lodgement
- DCP The DCP contains specific lodgement requirements for these documents and development types. Please refer to the relevant section of the DCP.

## Possible documentation required based on other conditions.

Document/Plan	Condition
Bushfire Assessment Report	For development on bushfire prone land
Cut and Fill Plan	Where proposal includes cut/fill and/or retaining walls
Detailed Cost Report	When the estimated cost of the development is over \$3 million. Must be signed by a Quantity Surveyor.
Flora and Fauna Survey	Development located on land or in proximity to areas of environmental significance (see DCP)
Flood Study	Development in flood planning area or below the flood planning level (FPL) (see DCP)
Waste Water Report	Required where a lot does not have access to the reticulated sewer system that require on-site waste water disposal

**NOTE:** The completeness and quality of the application can impact upon the assessment time. Further, any incomplete or insufficient applications may not be accepted. Council required development applications to be lodged in digital format to facilitate a more efficient electronic assessment process while minimising paper and the impact on the environment. For electronic lodgement, please visit the Port Stephens Council Website and follow the guidelines described. If you choose to lodge the application in paper form, you must provide only one paper copy of all the supporting documentation. A scanning fee will apply for applications lodged in paper form.