



**EXTRAORDINARY MEETING OF COUNCIL
BUSINESS PAPER**

2 September 2016

Extraordinary Meeting of Council

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Department:	Infrastructure & Regulation
Submitted by:	Contract Planner
Reference:	2.15.08.05
Subject:	DA-27-2012-3 S96 (2) Modification of Development Consent. Staged 42 Lot low density residential subdivision – 114 Barleyfields Road Uralla – Applicant – T & S Bower

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

- Goal:** 2.1 Uralla Shire’s natural beauty and distinct natural environment are protected for future generations.
- Strategy:** 2.1.4 Provide balanced and environmentally sensitive development.
- Action:** 2.1.4.1 Assess and determine regulatory applications, including development applications, complying development certificates, construction certificates, Section 68 certificates, Bushfire Attack Level (BAL) Certificates, and Conveyancing Certificates.

PURPOSE OF THIS REPORT

The purpose of this report is to alter resolution 6.08/16 from the Ordinary Council Meeting of the 22nd August 2016 to include the sealing of the access handles.

BACKGROUND:

The recommendation that was put to Council, and which Council subsequently resolved, was incomplete.

The matter of the access handle for Lots 3, 6 and 7 to be bitumen sealed for its full length were discussed at length during the meeting and the officer had intended for them to form part of the recommendation however they were not and were therefore subsequently omitted from the resolution.

To rectify this the resolution should be altered to include the sealing of the access handles.

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OFFICER'S RECOMMENDATION:

That Council:

- a) **Approve the Development Application Modification of Consent DA 27-2012-3 including the modified condition 25 being:**

25. MODIFIED

Stage A Development Lots

New access crossings are required for proposed Lots 1 to 7, consisting of 4 metre wide gravelled dish crossings, bitumen sealed from the edge of the existing bitumen to the boundary of each proposed development Lot. Further the access handle for Lots 3, 6 and 7 are to be bitumen sealed for its full length. All works are to be constructed to a standard approved by the Director of Infrastructure and Regulation at the expense of the developer.

- b) **Add an additional requirement to Condition 34 so that it reads as follows:**

34. MODIFIED

Stage B Residential Lots – Bus Shelter/Pedestrian Walkway & Firetrail

Provision is to be made for a bus shelter within the development. The type and location is approved by the Director of Infrastructure & Regulation at the expense of the developer, prior to installation.

A pedestrian walkway being 6 metres wide with a 2 metre concrete footpath is to be provided between proposed lots 45 and 65 and is to be constructed at the time of development of development lots 6 and 7. The construction is to be to a standard approved by the Director of Infrastructure & Regulation and at the expense of the developer. The pedestrian walkway is to be dedicated to Council and is to serve a dual purpose of pedestrian walkway and firetrail.

BACKGROUND:

1. Development Application Modification of Consent 27-2012-3 to enable Staging of a 41 lot low density residential development (plus residual lot) was received by Council on 8 April 2016.
2. The development was notified to surrounding land owners in accordance with Chapter 13 Notification Procedures of the Uralla Development Control Plan (DCP) 2011 with two submission received. Matters raised in the submissions are resolved in the conditions of development consent.
3. Draft Chapter 17 'Barleyfields' of the Uralla Development Control Plan 2011 has been prepared to provide additional controls and guidelines to ensure the logical and sequential development of the Barleyfields residential subdivision over eight stages.
4. The application was put to the Environment, Development & Infrastructure Committee on 15 August 2016.

REPORT:

The subject DA Modification involves alterations to the approved 42 lot residential subdivision of Lot 102 DP 1177852 (98.32 ha) to enable staging of the development. The approved subdivision layout involved the creation of 16 lots within Stage 1 and 23 lots in Stage 2, with a residual lot and a separate lot for the water reservoir. The modified subdivision layout is similar; however, it proposes:

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- Eight (8) 'development lots' capable of re-subdivision into 41 low density lots
- A residual lot of 64.3 ha.
- Five short cul-de-sacs rather than a ring road system with fire trails for compliance with bushfire requirements.

The subject land will firstly be subdivided into eight (8) Development Lots ranging in size from 2.024 ha to 5.35 ha. These lots may then be re-subdivided to create 41 low density residential lots approved under this modification.

Issues for further clarification are as follows:

Condition 25

Proposed:

MODIFIED

Stage A Development Lots

New access crossings are required for proposed Lots 1 to 7, consisting of 4 metre wide gravelled dish crossings, bitumen sealed from the edge of the existing bitumen to the boundary of each proposed development Lot. Further the access handle for Lots 3, 6 and 7 are to be bitumen sealed for its full length. All works are to be constructed to a standard approved by the Director of Infrastructure & Regulation at the expense of the developer.

Reads:

MODIFIED

Stage A Development Lots

New access crossings are required for proposed Lots 1 to 7, consisting of 4 metre wide gravelled dish crossings, bitumen sealed from the edge of the existing bitumen to the boundary of each proposed development Lot. Access crossings are to be constructed to a standard approved by the Director of Engineering at the expense of the developer.

Single Dwelling Status

A single dwelling is permissible on each of the development lots but will need to be located in such a position as to not impede any further subdivision, i.e within a proposed future lot within the development lot.

These dwellings would have the same planning and building restrictions as do other dwelling built on this lots of this area.

Water & Sewer

Reticulated water and sewer does not have to be connected to the land until such time as the development lots are developed. This is one of the main purposes of Chapter 17 of the Uralla DCP.

The preferred use of an aerated onsite sewer management system in comparison to a septic system is that:

- Effluent from all systems run down slope and will end up in some form in waterways. It is a cleaner effluent waste result from an aerated system as there are only 2 elements not destroyed in

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the aerated treatment process. Yet with treatment with sunlight, they are destroyed. This is one of the purposes of an aerated system.

- Septic systems are more difficult to remove fully and rehabilitate.
- Aerated systems encourage water reuse, where as a septic system does not.

Loop Road

There is no loop road in this development. Each lot has been designed to allow for frontage to either Barleyfields or Rocky Abbey Roads or Warwick Street. Lots 3, 6 & 7 are battleaxe lots which have been designed to allow the battleaxe to become a road when the lot is developed. To follow the development pattern for the remainder lots, each road is taken off a battleaxe. The affected part of the battleaxe would become part of the road network, and would require negotiation between the development lot owners.

Firetrail/Pedestrian Path

To provide better linkage between lots, a further alternative would be to utilise the proposed firetrail between proposed lots 45 and 65 as a pedestrian walkway. This would mean that when development lots 6 and 7 are developed, the firetrail would become a pedestrian walkway 6 metres wide, with a 2 metre wide concrete footpath. Each developer would be required to construct their part of the footpath and dedicate the walkway to Council who would then maintain. The pedestrian walkway being 6 metres wide would still be trafficable for a 3 wheel vehicle in the event of a fire emergency. Hence it will have a dual purpose of fire trail and pedestrian walkway.

If agreed to, this can be conditioned.

CONCLUSION:

The overall objective of the modification is to enable the staged release of the land by separate development lot owners. A draft chapter of the Uralla Development Control Plan has been prepared to guide the development of Barleyfields in accordance with this consent, the approved Master Plan and controls and guidelines aimed at the orderly release of the land and maintaining the semi-rural character of the development.

The application is recommended for approval subject to the consent conditions listed above.

COUNCIL IMPLICATIONS:

- 1. Community Engagement/ Communication (per engagement strategy)**
Adjoining neighbours were notified of the proposed Modification of Consent.
- 2. Policy and Regulation**
Uralla Local Environmental Plan 2012
Uralla Development Control Plan 2011
Environmental Planning & Assessment Act 1979
- 3. Financial (LTFP)**
Nil
- 4. Asset Management (AMS)**
Nil

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- 5. **Workforce (WMS)**
Nil
- 6. **Legal and Risk Management**
Nil
- 7. **Performance Measures**
Nil
- 8. **Project Management**
Nil

Prepared by staff member: Libby Cumming, Contract Planner
TRIM Reference: DA-27-2012-3
Approved/Reviewed by
Manager: Acting Director Infrastructure & Regulation
Department: Infrastructure & regulation
Attachments: A. Motion to Alter
B. Resolution 06.08/16

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ATTACHMENT A – Motion to Alter



Department:	Motion to Alter
Submitted by:	Clrs M Pearce, B Crouch and I Strutt
Subject:	Motion to ALTER – Resolution No 6.08/16 DA-27-2012-3 Modification of Development Consent. Staged 42 Lot low density residential subdivision 114 Barleyfields Rd Uralla – Applicant T&S Bower

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

Objective:	4.1 A strong, accountable and representative Council
Strategy:	4.1.3 Provide open, accountable and transparent decision making for the community
Action:	4.1.3.3 Council and Standing Committee meetings are conducted and open to the public

SUMMARY:

The three undersigned Councillors propose that resolution 6.08/16 passed unanimously at the Ordinary Council Meeting on Monday the 22nd August 2016 be altered.

PROPOSED MOTION:

That Council alter motion 6.08/16 from the Ordinary Council Meeting of the 22nd August 2016.

REPORT::

The recommendation that was put to Council, and which Council subsequently resolved, was incomplete.

The matter of the access handle for Lots 3, 6 and 7 to be bitumen sealed for its full length were discussed at length during the meeting and the officer had intended for them to form part of the recommendation however they were not and were therefore subsequently omitted from the resolution.

To rectify this the resolution should be altered to include the sealing of the access handles.

COUNCILLOR NAME	SIGNATURE	DATE
1. Michael PEARCE		29/8/2016
2. ROBERT CROUCH		29/8/2016
3. ISABEL STRUTT		29/8/2016

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ATTACHMENT B Resolution from 22 August 2016

6.08/16

MOVED (Crs B Crouch/M Dusing)

DIVISION DECISION

For: D Field, F Geldof, B Crouch, M Dusing, M Pearce, I Strutt, K Ward, L Cooper

Against: Nil

Absent: Nil

COUNCIL RESOLUTION:

That Council:

1. Approve the Development Application Modification of Consent DA 27-2012-3 subject to the 51 conditions in the report to Council;
2. Approve the Development Application Modification of Consent DA 27-2012-3 including the modified condition 25 being:

25. MODIFIED

Stage A Development Lots

New access crossings are required for proposed Lots 1 to 7, consisting of 4 metre wide gravelled dish crossings, bitumen sealed from the edge of the existing bitumen to the boundary of each proposed development Lot. Access crossings are to be constructed to a standard approved by the Director of Infrastructure & Regulation at the expense of the developer.

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END OF BUSINESS PAPER