

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED HEALTH SERVICES FACILITY

NO. 4 JACARANDA AVENUE, RAYMOND TERRACE
(LOT 22 DP 1088281)

Prepared on behalf of:
HUNTER NEW ENGLAND LOCAL HEALTH NETWORK

Prepared for Submission to:
PORT STEPHENS COUNCIL

Prepared by:



ABN 23 104 067 405

7 Canberra Street
PO Box 850 Charlestown NSW 2290
P 02 4942 5441
F 02 4942 5301
E admin@dewittconsulting.com.au

www.dewittconsulting.com.au

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CONTENTS

1. INTRODUCTION	1
1.1 OVERVIEW OF PROPOSED DEVELOPMENT	1
1.2 CONSENT AUTHORITY	1
1.3 SCOPE OF STATEMENT OF ENVIRONMENTAL EFFECTS	1
1.4 DISCUSSIONS WITH COUNCIL	2
1.5 PREVIOUS DEVELOPMENT APPROVAL	2
2. THE SITE	3
2.1 LOCATION	3
2.2 TITLE DETAILS	3
2.3 EASEMENTS	3
2.4 AREAS	3
2.5 PHYSICAL FEATURES	3
2.5.1 TOPOGRAPHY	3
2.5.2 VEGETATION AND TREES	3
2.5.3 BUSHFIRE PRONE LAND	3
2.5.4 FLOODING	3
2.5.5 GEOTECHNICAL CONSTRAINTS	4
2.5.6 ACID SULFATE SOILS	4
2.5.7 DRAINAGE	4
2.6 HERITAGE	4
2.7 MINE SUBSIDENCE	4
2.8 EXISTING DEVELOPMENT	4
2.9 TRAFFIC, ACCESS AND PARKING	6
2.10 UTILITY SERVICES	7
3. CONTEXT	8
3.1 OVERVIEW	8
3.2 TO THE NORTH	8
3.3 TO THE EAST	8
3.4 TO THE SOUTH	9
3.5 TO THE WEST	10
4. PROPOSED DEVELOPMENT	11
4.1 HEALTHONE OVERVIEW	11
4.2 DESCRIPTION OF THE PROPOSED DEVELOPMENT	11
4.3 SCHEDULE OF DRAWINGS	12
4.4 ARCHITECTS DESIGN STATEMENT	13
4.5 HOURS OF OPERATION	14
4.6 EMPLOYMENT	14
4.7 SIGNAGE	14
4.8 MATERIALS AND FINISHES	14
4.9 FLOOD MANAGEMENT	15
4.10 HEIGHT	15
4.11 LANDSCAPING	15
4.12 SOCIAL IMPACTS	16
4.13 HERITAGE IMPACTS	17
4.14 ACOUSTIC IMPACTS	17
4.15 DISABILITY ACCESS	17
4.16 TRAFFIC, ACCESS AND PARKING	17
4.17 STORMWATER MANAGEMENT	18

4.18	WASTE MANAGEMENT	18
4.19	EROSION AND SEDIMENT CONTROL	18
4.20	ENERGY EFFICIENCY AND ESD PRINCIPLES	19
4.21	BCA COMPLIANCE	19
4.22	UTILITY SERVICES	19
5.	STATUTORY PLANNING CONTROLS	20
5.1	STATE ENVIRONMENTAL PLANNING POLICIES	20
5.1.1	STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007	20
5.1.2	STATE ENVIRONMENTAL PLANNING POLICY (MAJOR DEVELOPMENTS) 2005	22
5.2	LOCAL PLANNING CONTROLS	22
5.2.1	PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2000	22
5.2.1.1	<i>Clause 26 – Zoning And Land Use Table</i>	22
5.2.1.2	<i>Clauses 37 And 38 – Development On Flood Prone Land</i>	23
5.2.1.3	<i>Clause 47 – Services</i>	24
5.2.1.4	<i>Clause 51a – Development On Land Identified On Acid Sulphate Soils Planning Map</i>	24
5.2.1.5	<i>Clause 55 – Protection Of Heritage Items, Heritage Conservation Areas And Relics</i>	24
5.2.1.6	<i>Clause 60 – Development In The Vicinity Of Heritage Items, Conservation Areas, Archaeological Sites Of Potential Archaeological Sites</i>	24
5.2.2	PORT STEPHENS DEVELOPMENT CONTROL PLAN 2007	25
6.	ASSESSMENT OF ENVIRONMENTAL EFFECTS	34
6.1	SECTION 79C(1)(A) – STATUTORY PLANNING CONSIDERATIONS	34
6.2	SECTION 79C(1)(B) – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS	34
6.2.1	IMPACTS ON THE NATURAL ENVIRONMENT	34
6.2.2	IMPACTS ON THE BUILT ENVIRONMENT	35
6.2.3	SOCIAL AND ECONOMIC IMPACTS	35
6.2.4	TRAFFIC AND PARKING IMPACTS	35
6.3	SECTION 79C(1)(C) – THE SUITABILITY OF THE SITE	35
6.4	SECTION 79C(1)(D) – SUBMISSIONS	35
6.5	SECTION 79C(1)(E) – PUBLIC INTEREST	35
7.	CONCLUSION	36

APPENDICES

Appendix 1:	Location Plan
Appendix 2:	Aerial Photo of Locality
Appendix 3:	Zoning – Port Stephens Local Environmental Plan 2000
Appendix 4:	Survey Plan prepared by de Witt Consulting
Appendix 5:	Development Application Drawings and 3D images prepared by Kemp Consulting and Schreiber Hamilton Architecture
Appendix 6:	Design Report and Landscape Plans prepared by Moir Landscape Architecture
Appendix 7:	Stormwater Management Plan prepared by MPC Consulting Engineers
Appendix 8:	Disability Access Report prepared by Lindsay Perry Access and Architecture
Appendix 9:	Traffic Assessment Report prepared by TPK & Associates Pty Ltd
Appendix 10:	Heritage Impact Statement prepared by Heritas
Appendix 11:	Arborist Report prepared by Abacus Tree Services
Appendix 12:	Letter of Authority from Hunter New England Local Health Network

1. INTRODUCTION

1.1 Overview of Proposed Development

This Statement of Environmental Effects ("SEE") has been prepared on behalf of Hunter New England Local Health Network ("HNELHN") ("the applicant"). It accompanies a development application ("DA") for the development of a new HealthOne health services facility at No. 4 Jacaranda Avenue, Raymond Terrace, being Lot 22 DP 1088281 ("the Site").

The subject DA relates to the following works:

- Preparatory earthworks.
- The erection of a two level HealthOne health services facility with at grade car park for 69 vehicles.
- The provision of landscaping around the new building.
- The provision of associated services, drainage infrastructure, etc.

The proposal has been formulated having full and proper regard to existing development controls and to the environmental qualities of the site and its surroundings. This SEE demonstrates that the proposal substantially complies with the development controls applying to the site.

1.2 Consent Authority

The proposed development will have a capital investment value of \$5.5 million and will comprise development "by or on behalf of the Crown" for the purposes of a "health services facility". As a result, the Hunter and Central Coast Joint Regional Planning Panel is the consent authority for such development (see Section 5.1.2).

1.3 Scope of Statement of Environmental Effects

This Statement of Environmental Effects ("SEE") accompanies a development application for the proposed development. It has been prepared on behalf of the applicant and includes the matters referred to in Section 79C of the Act and the matters required to be considered by Council.

The purpose of this SEE is to:

- Describe the land to which the DA relates and the character of the surrounding area.
- Describe the proposed development.
- Define the statutory planning framework within which the DA is to be assessed and determined.
- Assess the proposed development in the light of all relevant heads of consideration.

The following drawings and documents have been prepared in support of the DA and are included in the appendices:

- Location Plan (Appendix 1).
- Aerial Photo of Locality (Appendix 2).
- Zoning – Port Stephens Local Environmental Plan 2000 (Appendix 3).

- Survey Plan prepared by de Witt Consulting (Appendix 4).
- Development Application Drawings and 3D images prepared by Kemp Consulting and Schreiber Hamilton Architecture (Appendix 5).
- Design Report and Landscape Plans prepared by Moir Landscape Architecture (Appendix 6).
- Stormwater Management Plan prepared by MPC Consulting Engineers (Appendix 7).
- Disability Access Report prepared by Lindsay Perry Access and Architecture (Appendix 8).
- Traffic Assessment Report prepared by TPK & Associates Pty Ltd (Appendix 9).
- Heritage Impact Statement prepared by Heritas (Appendix 10).
- Arborist Report prepared by Abacus Tree Services (Appendix 11).
- Letter of Authority from Hunter New England Local Health Network (Appendix 12).

1.4 Discussions With Council

The proposed development has been the subject of pre-DA meetings with Council Officers David Broyd, Anthony Randall and Amanda Gale.

The matters raised by Council Officers have been considered by the design team and have influenced the development of the design from concept through to DA.

1.5 Previous Development Approval

The site was the previous location of the Raymond Terrace Pool Centre until its closure in the early 1990's. There have been a number of Development Applications ("DA") approved on the site. From our preliminary investigations it appears records date back to 1984 and indicate DA's for uses associated with the pool and most recently in 2009 development consent for an Aged Care Facility including 21 Units (DA 2006-1063).

2. THE SITE

2.1 Location

The site comprises vacant land on the south western edge of the Raymond Terrace Town Centre being No. 4 Jacaranda Avenue, Raymond Terrace (see Location Plan in Appendix 1). The site is within 200 metres of the Raymond Terrace commercial precinct and 220 metres to an existing bus route which services the area. The Raymond Terrace Town Centre is identified as a Major Regional Centre within the regional context.

2.2 Title Details

The site comprises Lot 22 DP 1088281.

2.3 Easements

The site is not burdened by nor benefits from any easements.

2.4 Areas

The site has a total area of approximately 5,283m² with a frontage of 100 metres along Jacaranda Avenue and approximately 55 metres along Swan Street (see Appendix 4).

2.5 Physical Features

2.5.1 Topography

The site is relatively flat with only gentle grades from east to west.

2.5.2 Vegetation and Trees

The Survey Plan in Appendix 4 clearly illustrates the site's relatively cleared nature with scattered trees concentrated along the boundaries. The 149(5) Certificate indicates there is no critical habitat on site nor has Council been notified of any Property Vegetation Management Plan under the Native Vegetation Act 2003 that applies to the site.

The Arborist Report in Appendix 11 provides a detailed assessment of all the trees on the site.

2.5.3 Bushfire Prone Land

The site has not been mapped by Port Stephens Council as being bushfire prone land.

2.5.4 Flooding

In the Section 149(5) Certificate Council indicates the site may be partially or wholly affected by flooding. Council has indicated the flood planning level in this location is RL 5.1 metres AHD (minimum floor level required for habitable rooms). The Survey Plan in Appendix 4 when considered in conjunction with Council's Flood Prone Land Map illustrates the western side of the site would be considered flood affected. Although the Flood Prone

Land Map indicates the site is predominately flood affected, the levels shown on the survey plan show that a large area of the site is not flood affected.

2.5.5 Geotechnical Constraints

Council records indicate the site is not affected by landslip.

2.5.6 Acid Sulfate Soils

Council records indicate the site comprises Acid Sulfate Soil Planning Category 4. This indicates that works more than 2 metres below the natural ground surface have the potential to expose actual or potential acid sulphate soils. This matter has been dealt with in Section 5.2.1.4.

2.5.7 Drainage

Drainage on the site is presently managed by overland flow and infiltration into the site. Approximately 75% of the site is relatively flat and of a similar level to Jacaranda Avenue whereby a kerb and gutter collects runoff draining into the street system. The survey plan indicates a general east-west cross fall of approximately 1 metre to the top of the bank which then falls another 1 metre to the boundary.

Matters relating to drainage have also been dealt with in the Stormwater Management Plan in Appendix 7.

2.6 Heritage

The site is not listed on the NSW State Heritage Register or Inventory. The site is not listed in the Port Stephens Local Environmental Plan 2000 – Schedule 2 Heritage (Parts 1 or 2).

Although the site does not contain a heritage item, it is currently located within a Heritage Conservation Area as marked on the Port Stephens Heritage Map. However, Council are undertaking an amendment to LEP 2000 which will result in the site being located outside of the Heritage Precinct.

There are a number of items of varying historical significance located within the immediate area. This includes part of the St Johns Anglican Church Group rectory and ornamental planting located across Jacaranda Avenue and through to 48 Sturgeon Street. In addition, the road reserve along Jacaranda Avenue (between Glenelg and Swan Streets) is listed as an area of local significance, being lined with the ornamental planting of Jacaranda Trees. In general, the surrounding area comprises 1 and 2 storey dwellings of varying age that are not heritage listed.

2.7 Mine Subsidence

The site is not located within a Mine Subsidence District.

2.8 Existing Development

The existing site conditions are clearly shown in photographs 1 and 2 overleaf, the Aerial Photo in Appendix 2 and the Survey Plan in Appendix 4.

The site is presently vacant and fenced with some limited existing vegetation concentrated predominantly along the boundaries of the site. The site was the previous location of the Raymond Terrace pool complex.



Photo 1: View north across the site toward Raymond Terrace Bowling Club.



Photo 2: View south across the site.

2.9 Traffic, Access and Parking

The site has frontage along two streets (Jacaranda Avenue and Swan Street). In addition, there is an access way which separates the Raymond Terrace Bowling Club from the Site (see Photo 4). This access way (Lot 23 DP 108828) is used and owned by the Club as a vehicle exit from their car park to Jacaranda Avenue. There is no primary access point to the site or identified parking area specific to the site.



Photo 3: View of the intersection of Jacaranda Avenue and Swan Street looking north towards the site.



Photo 4: View along the access between Bowling Club and Site.

Hunter Valley Buses provide a number of services along Glenelg Street servicing both locally and to wider precincts. The route stops are within an acceptable walking distance to the site.

2.10 Utility Services

The land is serviced and presently benefits from reticulated water and sewer, electricity and communication services.

3. CONTEXT

3.1 Overview

The general character of the site and surrounding area is shown in the Location Plan in Appendix 1, the Aerial Photo in Appendix 2 and the photos in Section 2 and below. The site is located south west of the Raymond Terrace commercial precinct adjoining the existing Raymond Terrace Bowling Club, existing dwellings used for limited commercial purposes and other dwellings used for residential purposes. Other uses within the immediate locality include the Raymond Terrace Public School, commercial buildings at the northern end of Jacaranda Avenue and a two storey block of apartments at the intersection of Jacaranda Avenue and Sturgeon Street.

The site is within 200 metres of the Raymond Terrace commercial precinct and 220 metres to an existing bus route which services the area. The Raymond Terrace Town Centre is identified as a Major Regional Centre in the Lower Hunter Region.

3.2 To the North

To the north of the site is the Raymond Terrace Bowling Club which includes club facilities, associated parking, bowling greens and shade covers (see Photo 5). The site is separated from the Bowling Club by an exit road/lane which leads from the club car park to Jacaranda Avenue (see Photo 4 in Section 2.9).



Photo 5: View of the Bowling Club to the north of the Site.

3.3 To the East

Located across Jacaranda Avenue are two single storey buildings. The dwelling at the corner of Jacaranda Avenue and Swan Street is a bed and breakfast establishment that is not heritage listed. The building located

opposite the northern part of the site comprises a heritage listed single storey building (see Photo 6). This building is known as No. 48 Sturgeon Street and forms part of the St Johns Anglican Church group of buildings.



Photo 6: View of No. 48 Sturgeon Street to the east of the Site.

3.4 To the South

To the south of the site is Swan Street. On the opposite side of the street are one and two storey detached dwellings (see Photo 7).



Photo 7: View of the dwellings to the south of the Site.

3.5 To the West

To the west of the site is the car park associated with the Raymond Terrace Bowling Club (see Photo 8).



Photo 8: View of the Bowling Club car park and entry drive to the west of the Site.

4. PROPOSED DEVELOPMENT

4.1 HealthOne Overview

The HNELHN provides health services for residents across the Hunter and New England region including the residents of Port Stephens. The current physical healthcare facilities have been identified as a significant impediment to providing quality integrated health services in Raymond Terrace. Future service expansion to meet the growing population needs will not be possible within the current infrastructure.

The construction of a new integrated healthcare facility accessible to the Town Centre will increase the functional integration between primary care, community health and aged care services in line with contemporary health care practice.

The HealthOne NSW model of care involves the clinical integration of primary and community health care services including GPs, community health and other identified service providers in a 'one stop shop' location. It aims to provide a multidisciplinary team based service to:

- Prevent illness and reduce the risk and impact of disease and disability.
- Improve chronic disease management in the community.
- Reduce avoidable admissions (and unnecessary demand for hospital care).
- Improve service access and health outcomes for disadvantaged and vulnerable groups.
- Build a sustainable model of health care delivery.

This model is supported by evidence that an integrated primary health care sector can deliver the following benefits:

- Improved health of the population (by adopting a "health" rather than "disease" orientation);
- Reduced health inequalities (by improving access for disadvantaged and vulnerable groups); and
- Containment of rising health care costs (by providing cost effective care, particularly in the management of chronic disease).

4.2 Description of the Proposed Development

The proposed development comprises the development of a new HealthOne health services facility at the site. The subject DA relates to the following works:

- Preparatory earthworks.
- The erection of a two level HealthOne health services facility with at grade car park for 69 vehicles.
- The provision of landscaping around the new building.
- The provision of associated services, drainage infrastructure, etc.

The ground level of the building will comprise the forecourt and main entry, waiting, public amenities, main reception and clerical areas, consulting rooms and treatment rooms for General Practitioners, Community Health and Pathology services, and clinical support and storage facilities.

The upper level of the building will comprise a secondary waiting area and reception, meeting rooms for both public and staff use, a dental consulting suite, additional Community Health consulting rooms, support and storage facilities, public and staff amenities and general administration areas.

A basement lift and stair lobby and waste disposal holding room are also provided. A lift will connect all levels.

At grade car parking for 69 vehicles will be provided. This comprises 51 spaces at ground floor level and 18 staff parking spaces in a secure parking area at basement level with direct access to the basement lobby. Vehicle entry and exit points are provided off both Jacaranda Avenue and Swan Street. A designated Ambulance and service bay will be provided on the southern side of the building with separate access off Swan Street.

4.3 Schedule of Drawings

The proposed development is detailed on the following drawings which form part of the DA. Copies of the drawings are provided in the appendices of this SEE.

Drawing No.	Drawing Title	Date/Revision
Survey Plan		
2000-2-DET 24.06.10	Detail Survey	24.06.10
Architectural Drawings		
DA01	Location and Site Analysis Plan	D
DA02	Site Plan	D
DA03	Basement and Lower Level Car Park Plan	D
DA04	Ground Floor Plan	D
DA05	First Floor Plan	D
DA06	Roof Plan	D
DA07	Elevations	D
DA08	Elevations	D
DA09	Sections	D
DA10	Entry Perspective	D
DA11	Northern Jacaranda Avenue Perspective	D
DA12	Southern Jacaranda Avenue Perspective	D
DA13	Western Swan Street Perspective	D
DA14	Shadow Diagrams	D
Landscape Drawings		
LP01	Landscape Concept Plan	D
LP02	Landscape Perspective & Elevations	D
LP03	Tree Protection Zones	D
Civil Engineering Drawings		
C01	Sedimentation and Erosion Control Plan	0
C02	Sedimentation and Erosion Control Details	0
C03	Stormwater Plan	1

Drawing No.	Drawing Title	Date/Revision
C04	Stormwater Details	0

4.4 Architects Design Statement

The following architectural design statement has been provided by the project architect:

"The proposed development is a contemporary building form that is sympathetic to the local heritage character as recommended for the site in Figure C1.27 of the Port Stephens Development Control Plan 2007.

The neighbouring streetscape is varied and includes buildings of various heights, setbacks and uses. Immediately adjacent to the north is the Raymond Terrace Bowling Club. Two bowling greens, covered with large dominant white steel and fabric structures address Jacaranda Avenue. The Club's on grade carpark is located immediately to the west of the site along Swan Street. Opposite the site along Jacaranda Avenue are a variety of residential properties. A B&B residence on the corner of Jacaranda Avenue and Sturgeon Street is placed diagonally on its block and surrounded by dense ornamental planting and a high solid painted fence. Directly opposite the site is the St John's rectory, although the building addresses Sturgeon Street rather than Jacaranda Avenue. A low timber fence and extensive lawn area presents to the street. To its north is another residence behind a high metal sheeting fence, then other residences and a commercial development, of varying styles and setbacks.

Properties opposite on Swan Street are a variety of residences, including the two storey heritage property Roeth House. The streetscape is characterised by lawns, gardens and low trees. A school and two storey residential flat building on the opposite corners of Swan and Sturgeon Streets provide contrasting and very open streetscapes.

There is therefore no consistent streetscape to refer to or maintain. The proposal is therefore to create a contemporary building that addresses the corner frontage of both Jacaranda Avenue and Swan Street. The building is set back a minimum of 3 metres from the street boundaries, although this varies as a result of the boundary alignment and articulation of the facade. This setback is landscaped to acknowledge the surrounding residences, rather than adopt the zero setbacks preferred for commercial development elsewhere in Raymond Terrace. An on-grade open landscaped carpark is located between the building and the Bowling Club. The carpark provides direct access to the building's public entry. Its location directly opposite the St John's Rectory ensures that the Rector's curtilage, setback and landscaped setting is respected. It also provides visual relief between the HealthOne building and the Bowling Club's dominant structures over the greens.

The form of the HealthOne building has been articulated to provide interest and reduce its scale. Its height is limited to two stories above Jacaranda Avenue to maintain the general height character in the neighbourhood. The ground floor level provides a solid darker masonry base with a lighter insulated metal and faced panel system to the upper level. The Jacaranda Avenue facade is broken by small recesses and change of materials. Coloured random battens to the upper level facade provide interest and are a reference to the Jacarandas along the street. Dominant elements are provided at each end. A glazed stair provides a focus at the southern end of the site which is prominent when approaching from the Sturgeon Street intersection. The southern facade is further articulated and subdivided. The northern end has a slightly different cladding and fenestration to the upper level to signify the building entry and respond to the meeting room function inside. This leads to the forecourt facing the carpark which is characterised by a coloured awning, sculptural seating elements and ornamental planting. It is

intended that this area will be utilised as an outdoor waiting area, acknowledging cultural needs. A double height glazed wall with horizontal sun screens is provided to the entry foyer. This terminates in a more solid painted fibre cement clad wall to the building's service core."

4.5 Hours of Operation

The proposed HealthOne facility will provide services to the general public between the hours of 8am and 9pm, 7 days a week. There may also be after hours use by smaller groups, such as ante-natal classes, but such uses will be small scale and would generally cease prior to 11pm.

4.6 Employment

The proposed HealthOne will generate new employment opportunities, as well as enabling the consolidation of some existing services within the locality. The provisions of new dental services and the Hunter Area Pathology Service ("HAPS") within the building will be the key new uses that would generate additional employment.

4.7 Signage

Signage is intended to be minimal and predominantly related to appropriate building identification and way finding. Signage details will be the subject of a separate DA to Council.

4.8 Materials and Finishes

A variety of materials will be used in the building construction, as detailed in the DA drawings in Appendix 5. These are proposed to be sympathetic to the character of the neighbourhood, yet providing visual interest and enhancing the articulation of the building form. Principal materials and finishes are likely to include a mix of the following:

- Low level external walls will be face masonry with a colour range of deep red-brown. Some contrasting banding may be provided.
- Upper level external walls will comprise insulated panels with metal or fibre cement cladding and a colour range of neutral stone and greys. There will be some variation in colour in different areas to assist with articulation of the façade. A random pattern of vertical battens in a variety of colours will be applied to the upper level to break down the façade and provide visual interest.
- Lower level retaining walls to the car park will be coloured concrete or blockwork.
- Windows will be aluminium framed with selected grey powdercoat finish. Horizontal matching louvre blades shall be fitted to the southern stair and main entry foyer glazing.
- The roof shall be low pitched metal decking with cappings and gutters to match the wall cladding. A projecting awning in a strong contrasting deep orange colour will provide a visual focus to the entry.
- Various metal screens and fences shall be provided to roof top plant and as security and safety barriers. These will be finished in complementary neutral tones.
- Internally, floors will be concrete, supported on in-ground piles or piers and concrete columns. Finishes will be vinyl, carpet and ceramic tiles as appropriate. Internal walls will generally be lightweight stud

framing lined with plasterboard or fibre cement, and thermal and/or acoustic insulation. Ceilings will be set plasterboard and acoustic tiles.

4.9 Flood Management

As detailed in Section 2.5.4, the land is classified as low lying and prone to flooding pursuant to Council records. Council has advised that the flood planning level in this location is RL 5.1 metres AHD (minimum floor level required for habitable rooms). The building floor level has been designed at level RL 5.7 metres AHD to ensure it is above the identified flood level. The lower portions of the site which are not suitable for habitable development have been proposed as parking.

4.10 Height

The proposed development will have a maximum height of around 9 metres as measured from the topmost part of the roof to existing ground level. The building will generally have a 2 storey scale with a height of around 8 metres along Jacaranda Avenue.

The proposed height is of a domestic scale and will not adversely affect privacy and views. Furthermore, the proposal will not result in the overshadowing of any adjoining buildings or private open spaces.

4.11 Landscaping

As detailed in Section 2 and shown on the Aerial Photo in Appendix 2, the majority of the site is cleared, with some existing trees located along the boundaries of the site. As detailed in the Arborist Report in Appendix 11, all eleven street trees will be retained and protected. In addition, six trees within the site in the north western corner will be retained as part of the development. Substantial compensatory tree planting will be provided within and along the street frontages of the site to compensate for the proposed tree loss. Tree replacement will form part of the proposed landscaping works and a Landscape Plan has been prepared by Moir Landscape Architecture and is included in Appendix 6. The landscape concept has been designed to integrate with the overall architectural concept whilst improving the streetscape. The landscaping proposed includes the following key elements:

- Retention and protection of the existing Jacaranda trees along the Jacaranda Avenue frontage of the site.
- The planting of small native trees and shrubs along the eastern boundary to visually fragment the eastern façade of the proposed building and provide a pleasant outlook from the consulting rooms.
- Feature planting at the base of the south eastern corner of the building to enhance the visual setting of the development from the south east.
- The use of shade tolerant species in the garden on the southern side of the building to ensure planting establishes successfully in this area.
- The provision of amenity planting around the base of the building to help visually soften hard edges from a pedestrian perspective.
- The provision of native evergreen trees along the Swan Street boundary of the site to visually fragment the building and car park from Swan Street.

- The provision of canopy trees and sculptural seating elements within the main forecourt to provide an attractive outdoor waiting area.
- The provision of a turfed deep soil zone within the north western corner of the site to ensure protection of existing trees within this area.
- The provision of permeable paving within part of the car park area to improve water infiltration and improve below ground growing conditions for the proposed tree planting within the car park area.
- Screen planting along the northern boundary consisting of Muraya to create a dense screen. This will soften the fence line and reduce the hard edges of the car park.

4.12 Social Impacts

There will be no adverse social impacts associated with the proposal. The shortage of and access to medical practitioners is an ongoing problem not only in Port Stephens but the greater lower hunter region. The provision of new purpose built facilities will allow this service to be provided to patients safely in a suitable location. Any social impacts on the local residents would be of a positive nature. Potential positive impacts associated with the proposed development include:

- Provision of quality medical facilities within close proximity to existing facilities, services and infrastructure.
- The provision of an integrated primary health care service which will assist in improving the health of the population (by adopting a "health" rather than "disease" orientation) and reduced health inequalities (by improving access for disadvantaged and vulnerable groups). The integrated service will also improve access to services by co-locating them on the one site. Locating these facilities at Raymond Terrace will expand the range of services available to the community thereby reducing travel for local residents and encouraging usage of the services.
- The containment of rising health care costs by providing cost effective care, particularly in the management of chronic disease.
- Jobs during the construction phase conservatively estimated at 9 jobs per \$1M in construction costs. These jobs would include a range of trades including excavation, landscaping, builders, tilers, roofers, concreters, plumbers, electricians etc.
- Multiplier effects throughout the region as a result of construction employment.
- Jobs in the supply industry as result of construction activity.

Potential negative impacts associated with the proposed development include increased pressure on the existing local transport network and road infrastructure as well as increased noise in the local area, particularly during excavation/construction. With regard to these potential impacts it is relevant to note that any increased level of noise in the locality due to construction will be limited and temporary in nature. All construction activities will be in strict accordance with Council requirements. Furthermore, the Traffic Assessment Report in Appendix 9 has concluded that the proposed development would result in only a minor and imperceptible increase in traffic generation.

4.13 Heritage Impacts

A Heritage Impact Statement has been prepared by Heritas (see Appendix 10) to assess the impact of the proposed development on the heritage conservation area and nearby heritage items. The Heritage Impact Statement concludes as follows:

"Based on the available documentary and physical evidence, the proposal to develop the site within this section of the Raymond Terrace Heritage Conservation Area is considered sympathetic. The street presentation of the form is sympathetic to the evolved diversity of style, form and scale of the immediate context.

It is crucial that signage be carefully considered for its heritage impact on the context."

4.14 Acoustic Impacts

The proposed development will be required to comply with the relevant provisions of the BCA and any relevant Australian Standards to ensure acoustic impacts (both internal and external) are minimal. In particular, the proposed development will be required to comply with the relevant Australian Standards being AS 2107–2000, *Acoustics—Recommended design sound levels and reverberation times for building interiors* and AS 3671—1989, *Acoustics—Road traffic noise intrusion—Building siting and construction*.

The proposal is not a generator of any significant or offensive noise. The site also does not adjoin any residential uses, being bordered by Swan Street, Jacaranda Avenue and the Raymond Terrace Bowling Club. The only noise generation is likely to be a result of traffic movements to and from the site and within the car parking area. These will cease by 9pm and in any event, would be heard against the background noise of the adjoining bowling club (including the outdoor bowling greens and car park) and traffic movements along the adjoining two streets. Furthermore the proposed general hours of operation of 8am to 9pm are consistent with other non-residential uses in the locality and less than the adjoining Raymond Terrace Bowling Club.

4.15 Disability Access

A Disability Access Report has been prepared by Lindsay Perry Access and Architecture and can be found in Appendix 8. The Report concludes as follows:

"We consider the drawings presented for assessment generally comply with The Building Code of Australia 2010 and the intent of the Disability Discrimination Act 1992, subject to the recommendations made in this report being implemented during the construction process.

Access for persons with a disability has been addressed in the design of the development."

4.16 Traffic, Access and Parking

A Traffic Assessment Report has been prepared by TPK & Associates Pty Ltd (refer to Appendix 9). The proposal will have no major impacts on traffic and parking within the area. On-site parking has been provided in accordance with Council requirements. The proposed access points off both Swan Street and Jacaranda Avenue are acceptable in terms of sight lines, geometric layout, pavement width and traffic volumes. Upgraded pedestrian footpaths will be provided along the road frontages of the site to improve pedestrian amenity and access.

Currently the Jacaranda Avenue, Swan and Sturgeon Streets intersection carries low traffic volumes and this will not change as a result of the proposed development. However, observation at the intersection indicates that the traffic discipline of the overall intersection precincts can be better defined by improved roadmarking, signposting and a closure at one end of the Swan Street (north) slip lane (using bollards). These road improvements are detailed in Section 5 of the Traffic Assessment Report in Appendix 9 and can be included as a condition of any consent granted. These works will improve traffic discipline and road safety.

The Traffic Report concludes as follows:

"The assessment by TPK & Associates has concluded that:

- *The proposed development will not have an adverse impact on the public road network.*
- *The proposed development will provide off street parking capacity in accordance with Council requirements.*
- *The adjoining intersection of Jacaranda Avenue, Swan Street & Sturgeon Street can be realigned in conjunction with the frontage site roadworks to provide improved traffic discipline. The realignment has minimal impact on current road users and needs to be viewed in balance to the potential road safety improvement.*
- *The proposed development will provide acceptable on-site traffic amenity to manage the needs of all users including pedestrians and delivery vehicles."*

4.17 Stormwater Management

As detailed on the Stormwater Management Plan (see Appendix 7), management will be in the form of infiltration trenches, pits, pipes and permeable paving. Stormwater flows will be controlled to that of the pre-developed site for storms up to and including the 1 in 100 year event. Run-off from the new impervious roof area will be directed to infiltration trenches and permeable paving to allow low storm events to have water disperse into the existing soil.

4.18 Waste Management

A Waste Management Plan dealing with construction waste will be prepared as a condition of any consent granted and lodged with Council prior to the granting of any Construction Certificate.

Operational waste will be managed in a variety of ways. General office and recycling waste will be managed by utilising the Council waste removal services. However, a private waste contractor will be employed to manage medical waste and secure document shredding.

4.19 Erosion and Sediment Control

During construction, sediment control fences will be installed and maintained to ensure that sediment is controlled within the boundaries of the site and does not have an adverse impact on adjoining properties. An Erosion and Sediment Control Plan has been prepared in this regard and is included in Appendix 7.

4.20 Energy Efficiency and ESD Principles

Section J of the Building Code of Australia deals with energy efficiency and is mandatory for Class 5 to 9 projects. The proposed health services facility comprises a Class 5 building and will be located within Climate Zone 5. As a result the building has been designed to comply with Parts J1 through to J8 of the BCA.

The proposed design initiatives, which have regard to ESD principles, include the following:

- Passive energy design to reduce heating and cooling costs. This includes the maximisation of light penetration to rooms by minimising the distance of the internal rooms from windows and the use of well positioned glazing, and the use of insulation to reduce heat gain and loss.
- The reduction in energy consumption from mechanical ventilation.
- The provision of appropriate shading to windows.
- The installation of water efficient fittings and fixtures.
- Efficient lighting design and selection of energy efficient fittings.
- The use of materials with a low toxicity.

4.21 BCA Compliance

A Building Code of Australia ("BCA") 2010 compliance assessment has been undertaken with respect to the proposed building by BPK Building Approvals. This assessment confirms that subject to various matters being addressed in the final design and detailed final plans/specifications, the proposed building design will be able to comply with the provisions of BCA 2010.

4.22 Utility Services

The site presently enjoys the benefit of power, water, sewerage and communication services. All utility services are available to the land and will be able to be extended and upgraded as required to service the needs of the proposed development.

The DA drawings have also been stamped by Hunter Water Corporation.

5. STATUTORY PLANNING CONTROLS

5.1 State Environmental Planning Policies

5.1.1 State Environmental Planning Policy (Infrastructure) 2007

The State Environmental Planning Policy (Infrastructure) 2007 ("ISEPP") applies to NSW. Its relationship to other environmental planning instruments is identified in Clause 8, as follows:

"Relationship to other environmental planning instruments"

(1) Except as provided by subclause (2), if there is an inconsistency between this Policy and any other environmental planning instrument, whether made before or after the commencement of this Policy, this Policy prevails to the extent of the inconsistency.

***Note.** Subclause (1) does not prevent a local environmental plan from making provision about development of a kind specified in Part 3 in a particular zone if the provisions of this Policy dealing with development of that kind do not apply in that zone.*

....."

The provisions of the ISEPP therefore prevail over the provisions of Port Stephens LEP 2000 to the extent of any inconsistency.

The ISEPP applies to the site with respect to the intended DA. Division 10 relates to Health Services Facilities and Clause 57 identifies the type of development permitted with consent as follows:

"(1) Development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone

....."

Clause 56 identifies the relevant definitions as:

***"health services facility** means a facility used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:*

- (a) day surgeries and medical centres,*
- (b) community health service facilities,*
- (c) health consulting rooms,*
- (d) facilities for the transport of patients, including helipads and ambulance facilities,*
- (e) hospitals.*

***prescribed zone** means any of the following land use zones or a land use zone that is equivalent to any of those zones:*

- (a) RU4 Rural Small Holdings,*
- (b) RU5 Village,*
- (c) RU6 Transition,*
- (d) R1 General Residential,*
- (e) R3 Medium Density Residential,*

- (f) R4 High Density Residential,
- (g) R5 Large Lot Residential,
- (h) B2 Local Centre,
- (i) B3 Commercial Core,
- (j) B4 Mixed Use,
- (k) B5 Business Development,
- (l) B6 Enterprise Corridor,
- (m) B7 Business Park,
- (n) SP1 Special Activities,
- (o) SP2 Infrastructure."

The proposed development falls within the above definition of "health services facility". In terms of determining the equivalent zone, Clause 6 of ISEPP provides for the following:

- "(1) A reference in this Policy to a land use zone that is equivalent to a named land use zone is a reference to a land use zone under an environmental planning instrument that is not made as provided by section 33A (2) of the Act:
 - (a) that the Director-General has determined under clause 1.6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is a land use zone in which equivalent land uses are permitted to those permitted in that named land use zone, or
 - (b) if no such determination has been made in respect of the particular zone, that is a land use zone in which (in the opinion of the relevant authority) equivalent land uses are permitted to those permitted in that named land use zone.
- (2) An assessment made by a relevant authority under subclause (1) (b) applies only in respect of the particular development that is proposed to be carried out and more than one such assessment may be made in respect of the same land use zone.
- (3) In this clause, **relevant authority** means:
 - (a) the public authority proposing to carry out the development, or on whose behalf the development is proposed to be carried out, or
 - (b) if the development is to be carried out by or on behalf of a person other than a public authority, the Director-General."

With regard to Clause 6, the following is relevant:

- The Director-General has not made any determination of equivalent land use zones under clause 1.6 of the SEPP (Exempt and Complying Development Codes) 2008 ("Codes SEPP"). Although the Department of Planning has produced a table of equivalent zones for the purposes of the Codes SEPP, this is a guide only and not a determination by the Director-General.
- The "relevant authority" is the HNELHN which is the public authority proposing to carry out the development.
- As set out in the letter of authority in Appendix 12, the HNELHN has formed the view that the current 2(a) Residential zoning of the site is equivalent to the R1 General Residential zone and therefore the proposed development is permissible with development consent under Clause 57 of ISEPP.

5.1.2 State Environmental Planning Policy (Major Developments) 2005

Part 3, Clause 13B of State Environmental Planning Policy (Major Development) 2005 ("SEPP MD") identifies "Regional Development" and identifies the following general types of development:

- "(a) development that has a capital investment value of more than \$10 million,*
- (b) development for any of the following purposes if it has a capital investment value of more than \$5 million:*
 - (i) affordable housing, air transport facilities, child care centres, community facilities, correctional centres, educational establishments, electricity generating works, electricity transmission or distribution networks, emergency services facilities, health services facilities, group homes, places of public worship, port facilities, public administration buildings, public ferry wharves, rail infrastructure facilities, research stations, road infrastructure facilities, roads, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, wharf or boating facilities,*
- (c) Crown development that has a capital investment value of more than \$5 million,*
- "*

The proposed development will have a capital investment value of \$5.5 million and will comprise development "by or on behalf of the Crown" for the purposes of a "health services facility". As a result, the Hunter and Central Coast Joint Regional Planning Panel is the consent authority for such development (see Section 1.2).

5.2 Local Planning Controls

5.2.1 Port Stephens Local Environmental Plan 2000

5.2.1.1 Clause 26 – Zoning and Land Use Table

As shown on the Zoning Map in Appendix 3, the site is zoned 2(a) – Residential "A" pursuant to Port Stephens Local Environmental Plan 2000 ("LEP 2000"). The zone description and objectives are identified below:

"(1) Description of the zone

The Residential "A" Zone is characterised by one and two storey dwelling-houses and dual occupancy housing. Townhouses, flats and units up to two storeys may occur throughout the zone. Dwellings may also be erected on small lots in specially designed subdivisions. Small-scale commercial activities compatible with a residential neighbourhood and a variety of community uses may also be present in this zone.

(2) Objectives of the zone

The objectives of the Residential "A" Zone are:

- (a) to encourage a range of residential development providing for a variety of housing types and designs, densities and associated land uses, with adequate levels of privacy, solar access, open space, visual amenity and services, and*
- (b) to ensure that infill development has regard to the character of the area in which it is proposed and does not have an unacceptable effect on adjoining land by way of shading, invasion of privacy, noise and the like, and*

(c) to provide for non-residential uses that are compatible with the area and service local residents, and

(d) to facilitate an ecologically sustainable approach to residential development by minimising fossil fuel use, protecting environmental assets and providing for a more efficient use of existing infrastructure and services, and

(e) to ensure that the design of residential areas takes into account environmental constraints including soil erosion, flooding and bushfire risk."

Clause 10 of LEP 2000 requires the Council to be satisfied that any proposed development is consistent with the relevant zone objectives. The proposed health services facility is entirely consistent with the relevant objectives as outlined below:

- The proposed development will not have an unacceptable effect on adjoining land by way of shading, invasion of privacy, noise and the like, as detailed in this SEE.
- The proposal comprises a non-residential use that is compatible with the area and will provide an invaluable service to local residents.
- The location of the proposed facility on a serviced and degraded site within 200m of the town centre will ensure it is easily accessible on foot and by public transport. This will minimise fossil fuel use, protect environmental assets and provide for a more efficient use of existing infrastructure and services.
- As detailed in Section 2, the site is not environmentally constrained. Furthermore, the proposed development has taken into account environmental constraints including soil erosion and flooding.

The proposed development comprises a health services facility as defined pursuant to ISEPP. The proposed development would fall within the LEP 2000 definitions as either a "medical centre" or a "community facility". These are defined under LEP 2000 as follows:

"medical centre means a building or place used for the purpose of providing professional health services (such as preventative care, diagnosis, medical or surgical treatment or counselling) to out-patients only."

"community facility means a building or place operated by a public authority or by a corporation which provides for the physical, social, cultural or intellectual development or welfare of the local community, but does not include a building or place defined elsewhere in this Dictionary."

Pursuant to LEP 2000 development for the purpose of a medical centre is a prohibited use within the zone, however, a community facility would be permissible with consent. However, as set out in Section 5.1.1 the provisions of ISEPP overrides LEP 2000 to the extent of this inconsistency and therefore the proposed development is permissible on the site.

5.2.1.2 Clauses 37 and 38 – Development on Flood Prone Land

Clauses 37 and 38 require the consent of Council for the development of flood prone land and require the Council to consider the following matters prior to granting consent:

- (a) the extent and nature of the flooding or inundation hazard affecting the land,*
- (b) whether or not the proposed development would increase the risk or severity of flooding or inundation affecting other land or buildings, works or other land uses in the vicinity,*
- (c) whether the risk of flooding or inundation affecting the proposed development could reasonably be mitigated and whether conditions should be imposed on any consent to further the objectives of this plan,*

- (d) *the social impact of flooding on occupants, including the ability of emergency services to access, rescue and support residents of flood prone areas,*
- (e) *the provisions of any floodplain management plan or development control plan adopted by the Council."*

These matters have been dealt with in Sections 2.5.4 and 4.9. The characteristics of the lower rear area make this part of the site most susceptible to flooding. Hence this area is proposed for parking and landscaping only as detailed on the DA drawings in Appendix 5.

5.2.1.3 Clause 47 – Services

Adequate services must be available for the land and the proposed development. As detailed in Section 2.10, the site presently enjoys the benefit of power, water, sewerage and communication services. All utility services are available to the land and will be able to be upgraded if required to service the needs of the proposed development.

5.2.1.4 Clause 51A – Development on Land identified on Acid Sulphate Soils Planning Map

Consent is required for excavation of actual or potential Acid Sulphate Soils. Council records indicate the site comprises Acid Sulfate Soil Planning Category 4. This indicates that works more than 2 metres below the natural ground surface have the potential to expose actual or potential acid sulphate soils.

It is predicted that excavation will be to a depth no greater than 2 metres at the deepest point within the proposed semi basement. The design and construction method will largely determine where and to what level excavation would occur. An Acid Sulphate Soils Management Plan will be prepared and submitted as part of the Construction Certificate documentation should excavation be required to exceed this depth.

5.2.1.5 Clause 55 – Protection of Heritage Items, Heritage Conservation Areas and Relics

The site is identified within a Heritage Conservation Area as marked on the Port Stephens Heritage Map. Clause 55 relates to items identified as historically significant and items within a Heritage Conservation area, and indicates the following:

"55 Protection of heritage items, heritage conservation areas and relics

.....

(3) When determining a development application required by this clause, the consent authority must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area.

....."

The impact of the proposed development on the significance of the heritage conservation area and nearby heritage items, has been dealt with in the Heritage Impact Statement in Appendix 10. This concludes that the proposed development is sympathetic to the Raymond Terrace Heritage Conservation Area and nearby heritage items.

5.2.1.6 Clause 60 – Development in the vicinity of heritage items, conservation areas, archaeological sites of potential archaeological sites

The consent authority must take into consideration the likely effect of the proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity.

As indicated in sections 2.6 and 4.13 the site does not accommodate a heritage item, however, is located within the Raymond Terrace Town Centre Heritage Conservation Area. The heritage items in Raymond Terrace within the vicinity of the site, including along Jacaranda Avenue, include the following:

Heritage Items of State Significance	
Property Address and Heritage Description	Description
Lots 3 and 4, Sec 9, DP 758871 45 and 45A Sturgeon Street (336.45 and 336.45/1)	Part of St Johns Anglican Church Group—church
Council Subdivision 54/536 48 Sturgeon Street (336.48)	Part of St Johns Anglican Church Group—rectory and ornamental planting of 2 <i>Araucaria heterophylla</i> (Norfolk Island Pine)
Lot 11, DP 859130 1 Jacaranda Avenue	Part of St Johns Anglican Church Group—former parish hall
Heritage Items of Local Significance	
Lot 22, DP 613174 28 Sturgeon Street (336.28)	<i>Euripides</i> —stone cottage
Lot 11, DP 1034823 152 Adelaide Street Lot 2, DP 868750 14 Swan Street (1243.152 and 337.14)	Old school hall (Raymond Terrace Public School), including WWI school honour board
Jacaranda Avenue Road Reserve (between Glenelg and Swan Streets)	Ornamental planting of Jacaranda trees (<i>Jacaranda mimosifolia</i>)
Lot 1, Sec 23, DP 1014247 2A Jacaranda Avenue (296.2/99)	Raymond Terrace War Memorial
Lot 23, DP 588932 12 Swan Street (337.12)	<i>Roeth House</i> —two-storey timber house

The impact of the proposed development on the significance of the heritage conservation area and nearby heritage items, has been dealt with in the Heritage Impact Statement in Appendix 10. This concludes that the proposed development is sympathetic to the Raymond Terrace Heritage Conservation Area and nearby heritage items.

5.2.2 Port Stephens Development Control Plan 2007

Port Stephens Development Control Plan 2007 ("DCP 2007") is a suite of documents that provides principles and controls for various forms of development. This site is located within the Raymond Terrace Town Centre and therefore in addition to the shire wide controls, the area specific Chapter C1 Raymond Terrace Town Centre also applies.

The relevant Chapters to this proposal are B2 – Environmental and Construction Management, B3 – Parking Traffic and Transport, B4 - Commercial and Mixed Use Development and C1 Raymond Terrace Centre. The relevant principles and controls of these Chapters have been addressed in the following table.

Clause	Relevant Controls	Compliance
Part B2 – Environment and Construction Management		
B2.1-B2.16	<p>Development must comply with:</p> <ul style="list-style-type: none"> - Relevant legislation. - Water quality management. - Acid sulphate soils. - Landfill. - Contaminated land. - Vegetation management. - Koala management. - Mosquito control. - Weed control. - Tree management. - Waste water. - Aircraft noise. - Erosion and sediment control. - Construction waste. - Works in the public domain. - Support for neighbouring buildings. 	<p>Yes.</p> <p>The relevant matters have been addressed in Sections 2 and 4 of this SEE.</p>
Part B3 – Parking, Traffic and Transport		
B3.3 Parking Requirements	<p>Development must comply with the provisions of Part B3 including public transport and parking requirements.</p> <p>A medical premise requires 4 spaces per 100 m² of GFA with 1 disabled space per 10 parking spaces.</p> <p>Council may consider a reduction in the required number of car parking spaces where:</p> <ul style="list-style-type: none"> • Parking structures or areas would have a negative impact on the visual appearance or significance of a heritage listed item or heritage conservation area. • Peak demand for residential and non-residential parking occurs at different times and parking spaces could be satisfactorily shared. 	<p>Yes.</p> <p>These matters have been addressed in Section 4.16 and the Traffic Assessment in Appendix 9.</p> <p>The provision of a landscaped car park opposite the St John's Rectory heritage item on Jacaranda Avenue is a direct response to ensuring the curtilage, substantial setback and landscaped setting of this heritage item is respected.</p>

Clause	Relevant Controls	Compliance
	<p>Where it is not possible or desirable to provide the required onsite parking spaces for a development, Council may accept alternative arrangements including:</p> <ul style="list-style-type: none"> ▪ The provision of car parking by the developer on another acceptable site in the vicinity of the proposed development subject to entering into a suitable agreement with Council; and/or ▪ The payment of a cash contribution in lieu of the provision of parking spaces pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 (as amended). <p>Council may consider a reduction in the required number of parking spaces where suitable.</p> <p>Applications seeking a parking reduction may only be considered if a reasonable case is clearly demonstrated in a traffic report prepared by a suitably qualified consultant.</p>	
B3.4 Access Requirements	<p>Access and parking areas will generally not be permitted in close proximity to traffic signals, intersections of roundabouts, or where queuing and sight distances are restricted.</p> <p>Driveway exits to be located to ensure adequate intersection sight distance to traffic and to pedestrians on the footpath.</p> <p>Proposed development and likely traffic generation will determine the required number of access points.</p> <p>Driveway access should be at least 0.5m from the side boundary at the front property line, and maintain at least 0.5m clearance from the edge of existing street furniture within the road reserve.</p> <p>Trees located within the road reserve should be retained and adequately protected.</p> <p>Driveways should be splayed.</p> <p>The number of access points from any street frontage should be limited to 1 ingress and 1 egress (or 1 combined) point.</p> <p>Figures B3.2, B3.3 and B3.4 should be considered through the design phase in particular with the parking areas regarding traffic type, spaces required and numbers.</p>	<p>Yes.</p> <p>These matters have been addressed in Section 4.16 and the Traffic Assessment in Appendix 9.</p>
B3.5 Sight Distance at Driveway Exits	<p>Driveway access points should be located and constructed so there is adequate intersection sight distance to vehicle traffic and pedestrians on the frontage road footpath.</p>	<p>Yes.</p> <p>These matters have been addressed in Section 4.16 and the Traffic Assessment in Appendix 9.</p>

Clause	Relevant Controls	Compliance
B3.6 Design Requirements	Visitor spaces must be clearly marked for that purpose and located near the entrance to a building to encourage usage. Parking, turning circles, and aisles must be in accordance with AS 2890.1 and the travel path between the building entrance and disabled car spaces in accordance with AS14.28.1. Loading and unloading facilities must be provided for commercial and industrial developments. Vehicles should enter and leave the site in a forward direction.	Yes. These matters have been addressed in Section 4.16 and the Traffic Assessment in Appendix 9.
B3.8 Schedule of Car parking Requirements	The table indicates that for a Medical Centre 4 spaces per 100m ² would be required and 1 space in 10 be for disabled parking.	Yes. Parking provided on site complies with Council requirements (see Section 4.16 and the Traffic Assessment in Appendix 9).
Part B4 – Commercial and Mixed Use Development		
B4.2 Site Analysis	Site Analysis plan and street elevations required.	Yes. Refer to Survey Plan in Appendix 4 and Site Analysis Plan in Appendix 5. Section 2 of the SEE also provides a detailed site analysis.
B 4.3 Uses	Development should provide a mix of residential and non-residential land uses consistent with the availability of land uses that is consistent with the availability of local services and transport. Commercial uses should be located on the ground or first floor.	Yes. The proposal development includes only commercial development, however, the surrounding locality comprises a mix of land uses – as is the intention of the DCP.
B4.4 Street Character and Front Setback (Note: many of these controls relate to the commercial zone and for mixed use development)	Development setbacks should be consistent to that of its surrounds to ensure the street character is maintained. Development should front onto streets, parks and other public spaces and contribute to safety, vibrancy and amenity of the street. Development should respond to its context and the predominant streetscape qualities including building form, scale and character as well as local culture or natural elements. Development must be built to the street property boundary. Development on corner sites must be built to both street boundaries at the corner. Development must provide clearly recognisable entries from the public street and a layout that accommodates entry from car parking areas where necessary. Development must provide any service areas, car parks, or loading bays at the basement level or at the rear of the building. Development must provide a continuous awning for the full extent of the building. Development must avoid dead edges at ground level. Large buildings must be	Yes The proposal complies with each of these controls. These matters are clearly addressed in the architect statement in Section 4.4 and shown on the DA drawings in Appendix 5. As detailed in the Heritage Impact Statement in Appendix 10, the proposed development contributes positively to the character of the heritage conservation area and nearby heritage items. It provides a contemporary built form that addresses the corner frontage as well as Jacaranda Avenue and Swan Street. Parking areas have been provided at the rear of the building, where the site adjoins the existing bowling club car park.

Clause	Relevant Controls	Compliance
	sleeved by smaller buildings to conceal its bulk and provide active frontage. Any security fencing or gates must be visually permeable and allow the natural spill of light.	
B4.5 Scale and Bulk (Note: these predominantly relate to the 3(a) Commercial areas)	Sets out floor space ratios for development within the 3(a) commercial zone at a maximum of 1.8:1 and a minimum of 0.3:1 for commercial floor space on the ground floor. This is therefore not relevant to the proposal.	N/A
B4.6 Building Height	Development should achieve a scale and height in keeping with the existing and desired future character of the street. Height for the Raymond terrace area is identified in Part C. A basement car parking area or podium that extends more than 1.2m above natural ground level must be counted as one storey. The entire building form, including parapets, lift tower, machinery plant rooms and storage space, must be contained within the permissible height. Vents, antennae and the like may only exceed the permissible height if they are not readily visible from the public domain. The finished floor level of ground floor must be 100-500mm above adjacent footpath levels. Floor to ceiling heights of commercial development to be a minimum of 3.3m to allow flexibility of building uses over time.	Yes. Refer to Section 4.10 and DA drawings in Appendix 5.
B4.7 Side and Rear Setback	Lower levels of development should be built to a consistent front alignment and height to define the street space and to establish the street character. Development should provide side and rear setbacks that allow for planting and access for parking and services. Development must provide a minimum rear setback from any public reserve of 5m plus 0.5m for each metre of height exceeding 8m measured at the rear of the building. Development must provide a minimum side setback of 1.5m from any residential lot or public reserve.	Yes. Refer to Section 4.4 and DA drawings in Appendix 5.
B4.8 Building Design Elements	Façades should relate to adjacent buildings and streetscape character. Special attention should be given to heritage buildings and development that adjoins them. All design elements should respond to environmental conditions, solar access and the like. External building colours and materials should be used to express building massing, articulation and detail elements. Development on a corner site should create a strong corner building through additional massing, height and/or articulation to both frontages. Entries should be clearly expressed to indicate to all users, including the elderly and visually impaired the location of building access. Street façade design must use materials and architectural elements that are compatible with neighbouring buildings. Single colour buildings are not acceptable.	Yes The proposed design is consistent with these controls and their intent (refer to DA Drawings in Appendix 5). The streetscape in the area is varied and includes building of various heights, setbacks and uses (including dwellings, bowling greens, laneways, houses built to the street and houses setback from the street). The design enables a better street presentation than currently exists whilst respecting the setting of nearby heritage items. The proposal protects the existing avenue of Jacaranda trees along the frontage and provides a strong building corner at the key intersection. As detailed in Section 4.8 and the architect's statement in Section 4.4, a variety of external building

Clause	Relevant Controls	Compliance
	Blank walls to primary or secondary street frontages must not exceed 5 metres. Window glazing must make up at least 50% of the ground floor front wall. Glass curtain walls are not acceptable. Ground floor entrances must be visually and physically emphasised through awnings, porticos, façade articulation and the like, however, doorways must not be recessed more than 900mm and the wall return must be angled as necessary to ensure good surveillance.	materials and colours will be used to provide further visual interest and building articulation. The ground floor entry has been designed to be clearly legible from both the street and car park areas.
B4.9 External Lighting	Commercial development must provide lighting to pedestrian paths, laneways and building entries that does not adversely affect the residential amenity of neighbours.	Yes. External lighting in accordance with Council requirements will be provided to the building, with details determined at the construction certificate stage.
B4.10 Energy Efficiency	Buildings should demonstrate ESD principles in construction, materials and operation. Materials with a high thermal mass such as bricks, concrete and stone improve the energy efficiency of a building and are recommended for external walls. Sun shading elements should be incorporated into architectural expression of the northern and western facade of buildings. All buildings should be designed with opening windows to maximise natural ventilation. Commercial buildings to comply with the energy efficiency requirements of the BCA.	Yes. These matters have been dealt with in Section 4.20.
B4.11 Landscape	Street trees should be planted in the footpath verge or parking areas and should be of a scale and extent that reflects the scale of proposed buildings and pavement areas. Planting should ensure low maintenance requirements and low water demand; species should be predominantly local and indigenous plant species. For all commercial development, a comprehensive Landscape Plan must be prepared by a qualified Landscape Designer or Architect. Landscaping should be provided to front setback, rear setback, side setbacks, around open storage areas and within the car park. Landscape planting must include advanced evergreen trees that would provide shade to 50% of open air parking areas in 5 years.	Yes. Refer to Section 4.11 and the landscape documentation in Appendix 6.
B4.12 Public Domain Improvements	Development must ensure there is adequate improvements to the public domain and include footpath paving the length of the development, street furniture if required, bike racks and landscape works and infrastructure associated with the relevant Australian Standard. Development in excess of \$1m must incorporate a public artwork in a visually prominent or culturally significant place within the public domain. Street furniture may also be considered public art work in some instances.	Yes. Public domain improvements will be made through provision of public footpaths along both street frontages, the provision of additional street tree planting and sculptural seating elements within the main forecourt to provide an attractive outdoor waiting area. In addition, traffic safety will be improved through the proposed works at the intersection of Jacaranda Avenue, Swan Street and Sturgeon Street.

Clause	Relevant Controls	Compliance
B4.13 Access, Parking and Servicing	<p>Development should provide adequate on-site parking, loading and servicing areas for its occupants, users, visitors and employees as well as the delivery services.</p> <p>Access points should not dominate the street and should be located to the rear of buildings.</p> <p>Screening should be provided where possible.</p> <p>Parking, service or loading areas should be located underground or at the rear of buildings and grouped where possible.</p> <p>Vehicle access to onsite parking or services areas should not be located on the primary street where secondary street access exists. Where access is on a primary street it must not exceed 25% of that frontage.</p> <p>Development must be provided by one driveway only and be perpendicular to the street frontage.</p> <p>On-site parking areas must not be visible from the main street frontage and must be effectively screened from public streets or open space using generous landscape planting with or without semi-permeable screening structures.</p> <p>Landscape design must provide adequate screening to the main street, but be integral in design to ensure site lines are maintained for pedestrian and vehicle users.</p> <p>Parking layout should provide direct pedestrian paths toward building entries.</p> <p>Storage and loading areas must be located at the rear of the building and not be visible from streets or other public spaces</p>	<p>Yes.</p> <p>These matters have been addressed in Section 4.16 and the Traffic Assessment in Appendix 9. Details are also shown on the DA drawings in Appendix 5.</p>
Part C1 – Raymond Terrace Town Centre		
C1.1 Where this part applies	<p>Figure C1.1 identifies the site is within the Raymond Terrace Town Centre. Raymond Terrace is described as a “sub-regional centre”, founded as a base for the commercial development of the surrounding areas with historic connections and future potential. Furthermore it is indicated to be a “significant site” (which is not defined in the DCP)</p>	<p>Yes</p> <p>The site forms part of the Raymond Terrace sub-regional centre and therefore is ideally suited to the development of a HealthOne facility that will service the local and sub-regional area. The site is within 200m of the town centre.</p>
C1.2 Town Structure	<p>C1.P1 – C1.C3 Development should protect and enhance views of the river and rural lands to and from parks, streets and the riverfront.</p> <p>Pedestrian connections should link the commercial heritage precinct to adjoining areas.</p> <p>Development must protect and enhance major entry plantings.</p>	<p>Yes.</p> <p>There are no views of the river that will be affected.</p> <p>Pedestrian connections will be formalised and improved, but not reduced in terms of connectivity.</p> <p>The existing avenue of Jacaranda street trees along the frontage of the site will be protected. Additional street trees will be planted.</p>
C1.3 Streetscape	<p>C1.C5 Development must be sympathetic to the scale, form and character of any</p>	<p>Yes.</p>

Clause	Relevant Controls	Compliance
	contributory heritage buildings located on adjacent sites.	This matter has been dealt with in the Heritage Impact Statement in Appendix 10.
C1.4 Building Height	<p>C1.C12 Building heights must be sympathetic to the scale and character of heritage or contributory buildings on adjacent sites.</p> <p>C1.C17 Building heights must not exceed 8m and 2 storeys at the street boundary, except on corner sites where buildings must achieve a height of between 7.5 and 10.5m (2-3 storeys) on both frontages at the street boundary.</p> <p>C1.C18 A podium that is more than 1.2m above natural ground level or the Flood Planning Level of 5.3m AHD (whichever is the higher) must be counted as (1) Storey.</p> <p>C1.C19 The floor level of the uppermost habitable floor must be at least 3.5metres below the maximum permissible height.</p>	<p>Yes.</p> <p>This matter is dealt with in Section 4.10. The proposal comprises a 2 storey contemporary building that complies with Council height requirements. The building achieves the required corner height at the intersection of Swan Street and Jacaranda Avenue.</p>
C1.10 Residential Areas	<p>The site is identified as being within the "Residential Area" of the Raymond Terrace Town Centre.</p> <p>C1.P15 Development should be implemented to encourage back-to-back housing that reflects good urban design.</p> <p>C1.P16 Curtilages of heritage items should be respected and new development should contribute to the character of the precinct.</p> <p>C1. P17 Setbacks should respect the existing pattern, particularly adjacent to heritage items.</p> <p>C1. P18 Development must provide street tree planting to reinforce the existing streetscape with emphasis on continuing the use of flowering ornamental species such as Jacarandas and evergreen native and exotic species.</p> <p>C1.C65 Front setbacks must comply with Figure C1.17: Calculation of front setbacks. This requires the average of adjoining setbacks to be applied to the site.</p> <p>C1.C66 Development must provide street tree planting of advanced Jacarandas in accordance with Council specification.</p>	<p>Yes.</p> <p>As detailed in the Heritage Impact Statement in Appendix 10, the proposed building respects the heritage significance and character of the nearby heritage items and the Raymond Terrace heritage conservation area.</p> <p>Additional street tree planting will be provided in addition to the retention of the existing Jacaranda street trees.</p> <p>The proposed front setbacks are consistent with the varied setbacks along both Swan Street and Jacaranda Avenue.</p>
Figure C1.18: Raymond Terrace Town Centre: Pedestrian and Cycle Network	This figure shows pedestrian footpaths being provided along the Jacaranda Avenue frontage of the site and extending marginally around the corner along Swan Street.	<p>Yes.</p> <p>These footpaths will be improved as part of the proposed development.</p>
Figure C1.19: Raymond Terrace Town Centre: Vehicle	This figure shows an existing pedestrian footpath along the Jacaranda Avenue frontage of the site and extending marginally around the corner along Swan Street. There are no proposed footpaths, pedestrian routes or cycleways that are shown	<p>Yes.</p> <p>The existing footpaths along the frontage of the site will be improved as part of the proposed development.</p>

Clause	Relevant Controls	Compliance
and Pedestrian Routes	for the site.	
Figure C1.20 – View Corridors to be Retained	This figure does not show any view corridors through or towards the site. A “View of Rural Landscape” is indicated from the corner of Swan Street and Jacaranda Avenue looking south away from the site. However, as shown on the Aerial Photo in Appendix 2, this view to the south and south east is actually of existing detached dwellings and the Raymond Terrace Public school. As a result, there are no rural views from this intersection.	N/A
Figure C1.21: Build to Lines	This figure does not provide any controls for the site.	N/A
Figure C1.22: Maximum Building Heights	This figure does not provide any controls for the site.	N/A
Figure C1.23: Raymond Terrace – Port Stephens Heritage Conservation Area and Significant Heritage Sites	As detailed in Section 2.6, this shows the site as forming part of the Port Stephens Heritage Conservation Area – Raymond Terrace. This site is also in proximity to various heritage items of local and state significance, including the Jacaranda street trees.	Yes. The heritage impacts of the proposed development have been addressed in the Heritage Impact Statement in Appendix 10.
Figure C1.26: Former Swimming Pool Site	This figure provides an indicative site plan layout for the site showing medium density residential development with access points off both Jacaranda Avenue and Swan Street. This generally reflects the form of development approved pursuant to DA 2006-1063 for 21 aged care units (see Section 1.5).	Yes This is an indicative site plan that reflects a previous consent. It does not recognise that the site is able to be developed in a number of different ways and for a variety of different permissible uses (such as community facilities, child care centres, places of worship, boarding houses, etc).
Figure C1.27: Former Swimming Pool Site	This figure shows an indicative elevation for the site. This shows a 1 and 2 storey residential building form and states the following: “-contemporary building form that is sympathetic to local heritage character.”	Yes. (as above).

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

In determining the subject DA, Council is required to consider those relevant matters listed in Section 79C(1) of the Environmental Planning and Assessment Act, 1979. Each of the relevant matters is addressed below.

6.1 Section 79C(1)(a) – Statutory Planning Considerations

Section 79C(1)(a) requires the consent authority to take into consideration:

- “(a) the provision of:*
- (i) any environmental planning instrument, and*
 - (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and*
 - (iii) any development control plan, and*
 - (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- that apply to the land to which the development application relates”*

These matters (and others) are addressed in Sections 5 and 6 of this SEE. No planning agreement has been entered into between the owner of the site and the Council.

Clauses 92, 93 and 94 of the Environmental Planning and Assessment Regulations 2000 prescribe four matters that must be considered, where relevant, for all DA's. None of these are relevant to the proposed development.

6.2 Section 79C(1)(b) – Environmental, Social and Economic Impacts

Section 79C(1)(b) requires the consent authority to consider:

- “(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.”*

The relevant matters are addressed below:

6.2.1 Impacts on the Natural Environment

There are no evident major natural constraints on the site. The site has been found to be eminently suitable for the proposed development. The site is located within a fully developed mixed use precinct and presently accommodates vacant land that was previously occupied by a swimming complex. The flood constraints over part of the site have been considered through the investigations and design process.

6.2.2 Impacts on the Built Environment

As detailed in Section 4, there will be no adverse impacts on the built environment. The existing character and amenity of this mixed use precinct will improve by providing a contemporary building within a landscaped setting on a currently fenced off and degraded site. As detailed in the Heritage Impact Statement in Appendix 10, the proposed development will have a positive contribution on the significance of the heritage conservation area within which it is located. Furthermore, the proposed development will not undermine the heritage significance of the local and state heritage items within the locality.

6.2.3 Social and Economic Impacts

As detailed in Section 4.12, there will be positive social and economic impacts associated with the provision of a purpose built facility to service the needs of the surrounding community needs.

6.2.4 Traffic and Parking Impacts

As detailed in Section 4.16 and Appendix 9, traffic and parking impacts will be acceptable and in accordance with the relevant Council controls.

6.3 Section 79C(1)(c) – The Suitability of the Site

Section 79C(1)(c) requires the consent authority to consider:

“(c) the suitability of the site for the development.”

The suitability of the site for the proposed development is dealt with in Section 2 and the site has been found to be eminently suitable for the proposed development. The site is zoned accordingly to facilitate the ISEPP provisions and is located within the existing sub-regional town centre.

6.4 Section 79C(1)(d) – Submissions

Section 79C(1)(d) requires the consent authority to consider:

“(d) any submissions made in accordance with this Act or the regulations”.

Any relevant representations will need to be considered by the Council in the determination of the DA.

6.5 Section 79C(1)(e) – Public Interest

Section 79C(1)(e) requires the consent authority to consider:

“(e) the public interest”.

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. As detailed elsewhere in Section 5, the proposed development will comply with the relevant planning controls. It will provide a purpose built health services facility to service the local and sub-regional needs. This is considered to be in the public interest.

7. CONCLUSION

Hunter New England Local Health Network proposes to develop a new HealthOne health services facility at No. 4 Jacaranda Avenue, Raymond Terrace, being Lot 22 DP 1088281. The SEE provides an assessment of the proposed DA pursuant to the provisions of the Environmental Planning and Assessment Act, 1979. The subject DA includes preparatory earthworks and the erection of a two level HealthOne health services facility with at grade car park for 69 vehicles. Complementary landscaping will be provided around the new building and the proposal will include the provision of associated services, drainage infrastructure, etc.

The proposal has been formulated having full and proper regard to existing development controls and to the environmental qualities of the site and its surroundings. It comprises a permissible form of development that complies with the provisions of the relevant environmental planning instruments, as well as the provisions of Council's Development Control Plan 2007.

The proposal is reasonable and appropriate when considered under the relevant heads of consideration in Section 79C(1) of the Environmental Planning and Assessment Act, 1979, and is worthy of favourable consideration by Council.

APPENDICES

APPENDIX 1

Location Plan

APPENDIX 2

Aerial Photo of Locality

APPENDIX 3

Zoning – Port Stephens Local Environmental Plan 2000

APPENDIX 4

Survey Plan prepared by de Witt Consulting

APPENDIX 5

Development Application Drawings and 3D Images prepared by Kemp Consulting and Schreiber Hamilton Architecture

APPENDIX 6

Design Report and Landscape Plans prepared by Moir Landscape Architecture

APPENDIX 7

Stormwater Management Plan prepared by MPC Consulting Engineers

APPENDIX 8

Disability Access Report prepared by Lindsay Perry Access and Architecture

APPENDIX 9

Traffic Assessment Report prepared by TPK & Associates Pty Ltd

APPENDIX 10

Heritage Impact Statement prepared by Heritas

APPENDIX 11

Arborist Report prepared by Abacus Tree Services

APPENDIX 12

Letter of Authority from Hunter New England Local Health Network