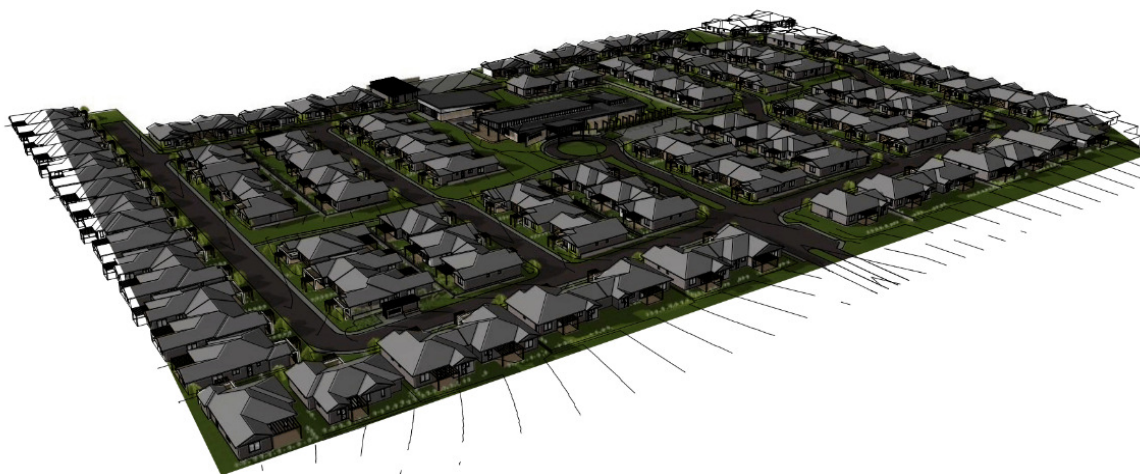




STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION FOR A 110 LOT SENIORS HOUSING DEVELOPMENT AT 115 BOUNDARY ROAD, MEDOWIE LOT 400 DP 1242890

PLANNING CONTACT

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Quality ISO 9001 Certified System FS 559134*

This report was prepared by Monteath & Powys Pty Limited

Project	<i>Self-Care Seniors Housing</i>
Client	<i>McCloy Development Management Pty Ltd</i>
Our Reference	<i>15/0011</i>
Date	<i>September 2018</i>
Author	<i>Scott Fatches</i>
Certification	<i>I hereby certify that this Statement of Environmental Effects has been prepared in accordance with the requirement of the Environmental Planning & Assessment Act 1979 and its associated Regulations. I certify that to the best of my knowledge the information contained within this report is neither false nor misleading.</i>
Signature	
Checked By	<i>Darren Holloway B.Sci. (Hons), MBEnv Registered Planner Manager – Planning & Environment</i>
Signature	

<i>Document Control</i>					
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1. EXECUTIVE SUMMARY

1.1 OVERVIEW

This Statement of Environmental Effects (SoEE) has been prepared by Monteath & Powys on behalf of McCloy Development Management Pty Ltd. This statement accompanies a Development Application (DA) to Port Stephens Council for the construction of 110 self-contained dwelling units being 'Seniors housing' relating to part of the land at 115 Boundary Road, Medowie and herein referred to as the 'Site'. The site is legally identified as Lot 400 DP 1242890.

The proposed development is for an architecturally designed senior's housing development that appropriately responds to community needs and the provisions of seniors housing. The proposal will include the construction and occupation of 110 independent self-contained dwellings, ancillary services and facilities including community building, bowling green, pool / gym facility, men's shed, garden shed, caravan wash/ loading area and associated waste holding area.

The proposed development is lodged under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* and *Port Stephens Local Environmental Plan 2013* (the LEP) and is consistent with the objective of each policy.

The Statement has been prepared on behalf of the applicant and addresses the matters referred to in Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the matters required to be considered by the consent authority. The purpose of this SoEE is to:

- Describe the existing environment to which the DA relates and the character of the surrounding area.
- Describe the proposed development.
- Outline the statutory planning framework within which the DA is assessed and determined.
- Assess the proposed development in considering the relevant heads of consideration (Section 4.15 of the EP&A Act).

The subject site is part of the north Medowie urban release area (also known as the Bower Estate), which has DA approval for the construction of a residential housing estate. The environmental issues across this urban release area (including the subject site) were considered during the previous rezoning and DA approval processes.

The site is split into three zones under the Port Stephens LEP 2013. The central portion of the site is zoned for E2 – Environmental Conservation which will remain unaffected by this Development Application. The proposed development will be located within the subject site's zoning of R2 – Low Density Residential. The final land zone under the subject lot is R5 – Large Lot Residential. Under the Port Stephens LEP 2013, Seniors Housing is permissible with consent under the R2 – Low Density Residential Land Zone.

A site layout plan depicting the details of the proposal is attached as **Appendix A. Figure 1** below also indicates the site layout plan (refer to **Appendix A**) and is an excerpt from the plan for illustrative purposes only.

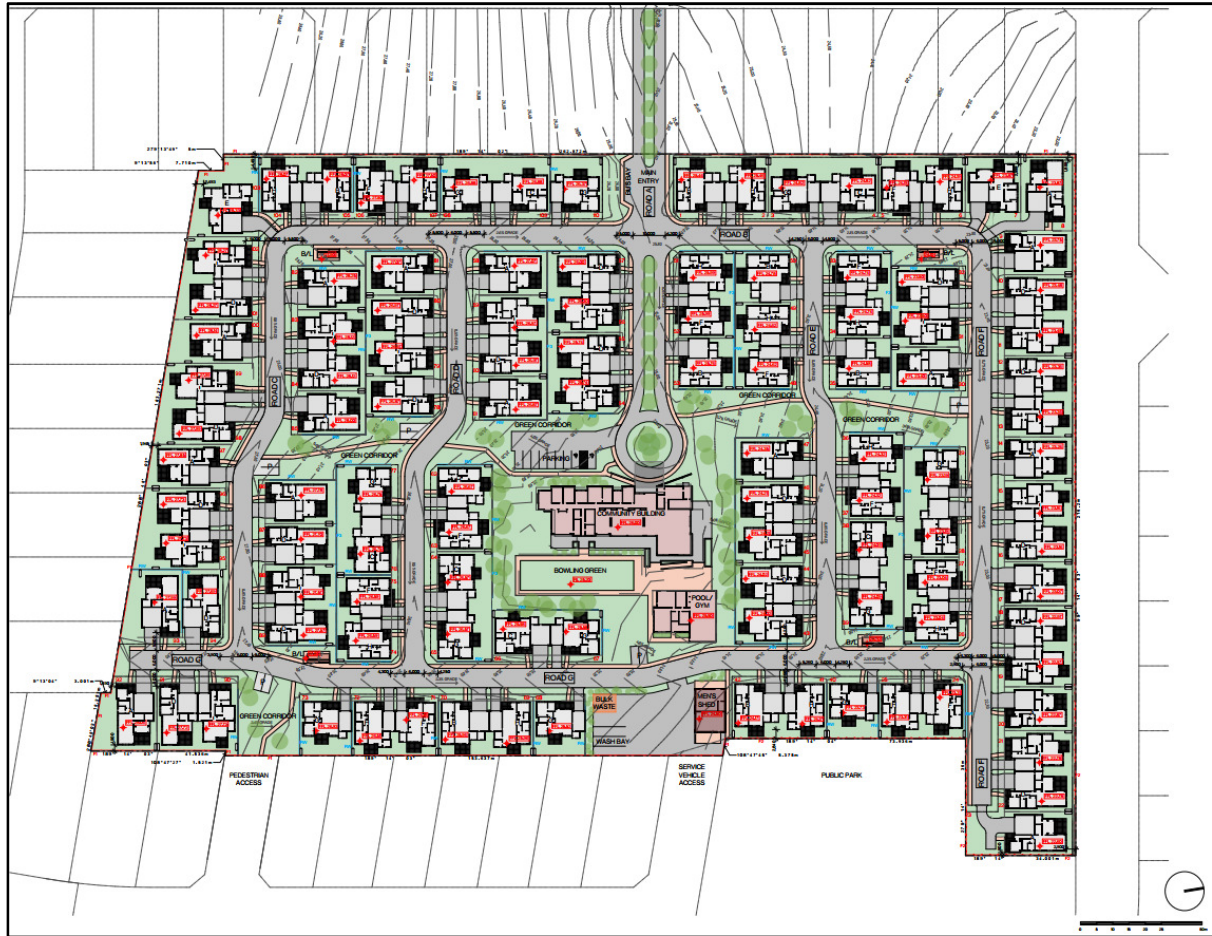


Figure 1: Proposed Site Layout Plan

1.2 CONSENT AUTHORITY

Port Stephens Council is the consent authority under the Environmental Planning and Assessment Act 1979 (EP&A Act).

Owners consent has been provided on the Application Form for the DA.

1.3 CLASSIFICATION OF DEVELOPMENT

The proposed development is identified to be classified as seniors housing. Under the Port Stephens LEP 2013, seniors housing means a building or place that is:

- (a) *A residential care facility, or*
- (b) *A hostel within the meaning of clause 12 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, or*
- (c) *A group of self-contained dwellings, or*
- (d) *A combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for: Seniors or people who have a disability, or people who live in the same household with seniors or people who have a disability, or*

- (e) *Staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place, but does not include a hospital.*

As noted in the early sections of this report, the proposed development is for the provisions of a *self-contained dwelling* senior's housing development.

Under the SEPP (Housing for Seniors or People with a Disability) 2004 there are distinct differences and standards that apply to the type of housing for seniors or people with a disability.

Self-contained dwellings consist of a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not that houses seniors or people with a disability. Each dwelling contains private facilities for cooking, sleeping and washing. However clothes washing facilities may be provided on a shared basis.

Standards in the SEPP cover floor space ratio, parking for residents, visitor parking for development of eight dwellings or less, landscaping (including requirements for deep soil zones), height, number of storey (with limits on the amount to the rear).

Under the *Building Code of Australia* self-contained dwellings are defined dependant on whether the dwellings have a footpath on the ground (attached such as townhouses or detached) (Class 1) or are two or more dwellings in the one building over two or more storeys (Class 2).

This development is considered permissible with consent under the LEP under the applicable land zone of R2 – Low Density Residential, as it is a development that will provide housing needs for seniors within a low density residential environment and enable a land use that will provide facilities and services suitable for seniors living.

The proposed development will protect and enhance the future residential amenity and character of the area by responding to the rhythm of development in the area, with the proposed materials to be low-maintenance and durable, and suitably articulated to provide visual relief and interest. The units have generous setbacks and allow for appropriate building separation providing solar access to and minimise overshadowing as far as practical. The orientation and internal road layout provides opportunities for landscaped areas that include deep soil around the perimeter area and centrally increasing streetscape amenity.

1.4 SCOPE OF SOEE

This SoEE has been prepared in accordance with best practice principles, in particular, applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure's (now DPE) guide to the EP&A Act 1979 (s4.15).

This SoEE has been prepared pursuant to the Environmental Planning and Assessment Act 1979 (s4.12 (9)) and accompanying regulation. The objectives of this SoEE area as follows:

- To provide a description of the site, existing development and the surrounding locality.
- To provide a description of the proposal and the key issues.
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s.
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

2. BACKGROUND

There is a large number of research studies identifying the ageing population in Australia. In the Hunter, including Port Stephens, there will be a requirement to prepare for this ageing population including the provision of appropriate housing.

The Hunter Regional Plan (2016) brings to addition the following statement:

“Trends that will shape housing demand in the Hunter region to 2036 include an increase in the ageing population. There are also discrete sectors of the community that are seeking particular types of housing; for example, students, older people, short term visitors, visitors accessing health services and low income households. Better understanding of the needs of these groups and how they differ across the region will help inform strategic and infrastructure planning and delivery.

By 2036, the Hunter is expected to be home to around 69,500 more people aged over 65 years. While the majority of these people are expected to live in Greater Newcastle, coastal communities in Port Stephens and the MidCoast, and many rural towns are also expected to age more rapidly than other parts of the Hunter” (p.56).

In response to this, Port Stephens Council have prepared an ageing strategy (*Port Stephens Aging Strategy 2016-2019*). There are a number of objectives in this strategy including increasing housing choice, ageing in place, community programs and health initiatives. More interesting is the breakup of older people in the Port Stephens LGA by location that is identified in this strategy. The subject site is in Medowie and according to the Port Stephens ageing strategy, the annual average growth of people 55 and over in Medowie, is just under 12%, which is significantly higher than in any other area (see **Table 1** below).

Table 1: Suburb Population of Older People, Port Stephens

Suburb	Number of people 55 or older in 2011	Annual average growth	Planning district
Raymond Terrace	3,172	5.11%	Raymond Terrace
Nelson Bay	2,129	-0.66%	Tomaree
Salamander Bay	2,097	3.92%	Tomaree
Corlette	1,900	6.73%	Tomaree
Medowie	1,751	11.72%	Medowie
Anna Bay	1,158	9.05%	Tomaree
Tanilba Bay	1,082	3.53%	Tilligerry
Shoal Bay	957	0.63%	Tomaree
Lemon Tree Passage	952	2.63%	Tilligerry
Fingal Bay	816	1.36%	Tomaree

There are also a number of State (*NSW Ageing Strategy 2013*) and Commonwealth (*National Strategy for an Ageing Australia*) reports / strategies that support increasing housing choice for older Australians, particularly around ageing in place.

Each report and strategy echo similar values, views and understanding that as people age they will look for dwellings that are smaller, safe and easy to maintain in vibrant neighbourhoods with a strong sense of identity.

Planning for these neighbourhoods supports outcomes that enable ageing populations and others to maintain quality of life that is active, socially inclusive and independent. An increase in the availability of a range of housing options that are affordable, accessible and adaptable plays a significant role in achieving these outcomes.

2.1 VOLUNTARY PLANNING AGREEMENT

No voluntary planning agreements are proposed or required for the purpose of this development proposal. A voluntary planning agreement is already in place for State infrastructure contributions (SIC) and was prepared prior to the original subdivision for the entire residential estate.

2.2 CONSULTATIONS

A Pre-DA meeting was held on 29 May 2018 with Port Stephens Council to discuss the proposed development. The summary of the Pre-DA minutes set out specific matters that were to be considered and items that warranted further detail. Consideration was given to these items and addressed within this Statement of Environmental Effects supporting reports and development design.

3. SITE DETAILS

3.1 LOCATION AND CONTEXT

The subject site can be legally identified as Lot 400 DP 1242890, located off Boundary Road, Medowie (**Figure 2**). It is noted that the subject site is part of the north Medowie urban release area (also known as the Bower Estate), which has DA approval for the construction of a residential housing estate. The environmental issues across this urban release area (including the subject site) were considered during the previous rezoning and DA approval processes.

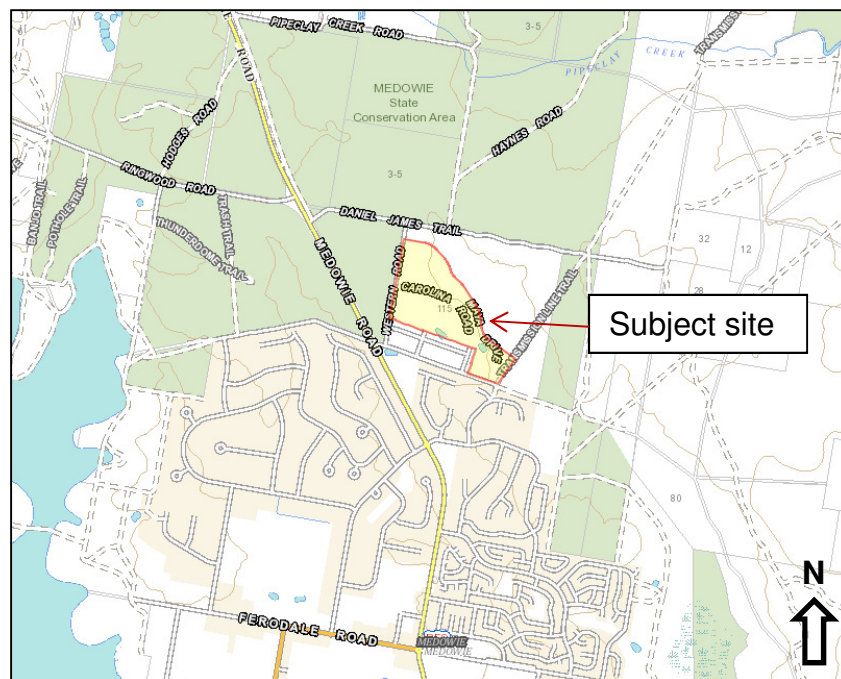


Figure 2: Locality Map (Six Maps Viewer)



Figure 3: Aerial Plan (Six Map Viewer)

The site is in the central region of the Port Stephens Local Government Area (LGA) and is approximately 10kms to the north of the Newcastle Airport (Williamtown), 15kms east of Raymond Terrace and 30kms north of Newcastle Central Business District.

3.2 SITE CONDITIONS

3.2.1 Topography and Drainage

The existing site grades from the south west to the north east at approximately 3% to 4%. The levels on the site currently range from approximate RL29.1m AHD at the south western boundary to RL21.2m AHD at the north eastern corner. With no current formalised drainage, the existing site sheet flows from the south west to the north east.

3.2.2 Access

Access to the site is available from a proposed internal road system. In addition, there is an opportunity for longer term improvements to the public transport in this area, and preliminary discussions indicate that provision of a bus route through the subject site is warranted.

Public transport is provided by government and private bus companies (**Figure 4**) in Medowie. Buses provide several routes to various local centres, town centres, with connections to Raymond Terrace and Newcastle City Centre.

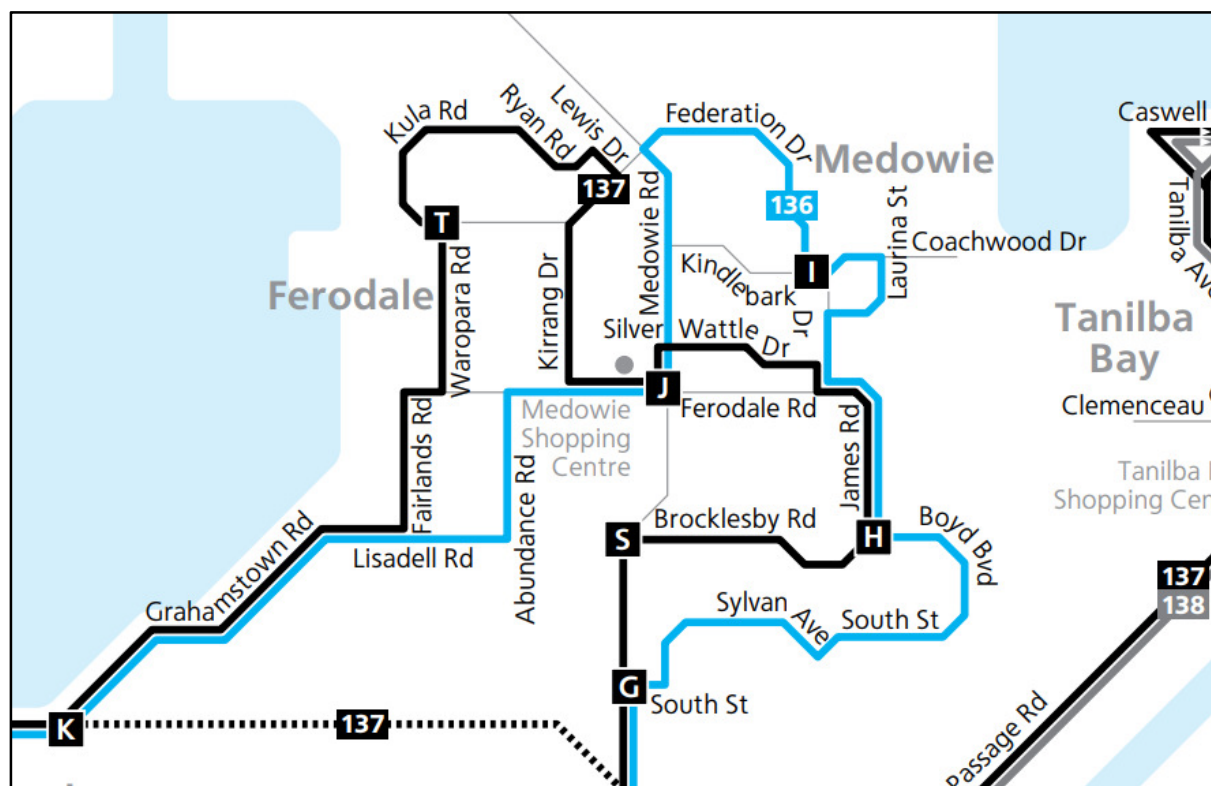


Figure 4: Major Transport and Bus Stops, Medowie
(Source: CDC Bus – Hunter Valley Bus Timetable, 2018)

3.2.3 Ecology

The site currently has approval for clearing under a DA approved as part of the broader Bower Estate.

As part of the previous approvals for the broader residential subdivision RPS Australia East Pty Ltd (RPS) was engaged to undertake a Flora and Fauna Assessment of the lands (identified then as 93 - 96 Boundary Road, Medowie). The assessment examined the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities listed within the then *Threatened Species Conservation Act 1995* (TSC Ac 1995f).

The proposed development footprint is largely cleared and any hollow-bearing trees previously recorded in the area have been removed, in accordance with the residential development's project approval being for the establishment of the required Inner Protection Areas (IPAs).

Notwithstanding, this Development Application is supported by the accompanying Ecology Report (**Appendix H**) that supports the proposed development in relation to the area of land it will be constructed on.

The proposed development will require the removal of the occasional canopy tree; however, site investigations at the site indicate that the trees to be removed are of a relatively young age (20 - 40 years).

Taking into account these considerations the larger residential subdivision includes areas set aside for environmental conservation. The subject site does not contain noted significant habitat, and the potential impact of the proposal upon threatened species is considered unlikely to be significant.

Considering the above, impacts on threatened species / populations, EECs and migratory species are highly unlikely. It is considered that Assessments of Significance under Section 5A of the EP&A Act (i.e. seven-part tests) and impact assessments under the EPBC Act would not be required.

3.2.4 **Bushfire**

The subject site is located within bushfire prone land, as per the Port Stephens Bushfire Prone Land Map.

3.2.5 **Flooding**

The site is not identified as a flood planning area under the LEP – Flood Planning Map FLD_004.

Council's Flooding Hazard Mapping Map (2016) has identified the site to contain 'Low Hazard Flood Fringe area' and 'High Hazard Floodway area' in accordance with Council's flood studies over the LGA. However, it is noted that the location for the proposed seniors' housing development is not in proximity to the identified flood categories that go through the subject site. As the proposed development will not be located within this flood affected area, no further reports are required or considered necessary from this proposed development.

3.2.6 **Geotechnical**

Reference to the 1:100,000 Newcastle Coalfield Regional Geology Sheet 9231 indicates the site to be underlain by the Permian Aged Tomago Coal Measures, which are characterised by Siltstone, Sandstone, Coal, Tuff and Claystone rock types. Further details are provided in the attached Geotechnical Report (**Appendix J**).

3.2.7 **Contamination**

The site (or Medowie as a whole) has not been identified to be on contaminated land. There are currently no notices on the contaminated land record held by the Environment Protection Authority.

HLA Envirosciences Pty Ltd (HLA) prepared a Phase 1 Environmental Site Assessment (ESA) for the site in 2006 (ref: N4043001_RPT_2Aug06). In 2009 AECOM (formerly HLA) provided a letter to confirm that conditions on the site since 2006 had not changed (ref: N7004701_LTR_17Aug09).

The accompanying Contamination Report (**Appendix K**) has been prepared to assess the current site conditions and confirm that the findings from the HLA (2006, updated 2009) Phase 1 ESA are still relevant.

3.2.8 **Mine Subsidence**

The site is not identified in a Mine Subsidence District Map as within a mine subsidence area.

3.2.9 **Aboriginal Heritage**

A search of the NSW National Parks and Wildlife's Aboriginal Heritage and Information Management Service (AHIMS) database was undertaken in June 2018. The AHIMS search identified no Aboriginal sites are recorded within the vicinity of the site (**Appendix L**).

Notwithstanding, the necessary care must be taken if an item of Aboriginal heritage is discovered during any stage of this DA.

3.2.10 **European Heritage**

The site does not contain any European heritage items to our knowledge and understanding. The site is not identified under the PSLEP 2013.

Notwithstanding, the necessary care must be taken if any item of heritage significance is discovered during any stage of this DA.

3.2.11 **Utility Services**

The subject site currently has access to electricity, reticulated water and sewer, stormwater and telecommunications. Service connection and any capacity augmentation will be determined through application to the relevant service providers (Hunter Water, Ausgrid, Telstra, NBN etc). Hunter Water infrastructure (pump station) is also located near the site.

4. PROPOSED DEVELOPMENT

4.1 SENIORS HOUSING DEVELOPMENT

The proposal seeks for the provision of a seniors housing development. The proposal has considered in detail how the site responds to the surrounding context, existing policy and site constraints, ecological features and accessibility requirements. The proposal for the site is the development of a self-care seniors housing development that comprises the following:

- 110 seniors housing dwellings (mixture of 2 - 3 bedroom units).
- Community / ancillary facilities (including bowling green, pool / gym facility, men's shed, garden shed, wash bay, caravan / boat storage area and associated waste holding area.
- Associated roads, car parking and landscaping.
- Associated stormwater management systems.

This proposal seeks to realise the housing opportunities that development of the subject site presents. Inherent to this potential is the site's locational attributes, proximity to other residential land uses, community services and provides opportunities for new retirement living.

4.2 DEVELOPMENT DESCRIPTION

The proposed development is for an architecturally designed seniors housing development that appropriately responds to community needs and the provisions of seniors housing. The proposal will include the construction and occupation of 110 independent self-contained dwelling units and ancillary services and facilities (**Appendix A**).

The buildings are designed to incorporate as much natural solar access and ventilation with all units provided with efficient private outdoor area. The development proposed a mix of single attached and detached units, incorporating minor design differences (**Appendix B**). Each unit is designed with an open plan layout and includes a private outdoor area off the living area. The level of solar access and ventilation is considered appropriate; refer to BASIX assessment at **Appendix C**.

Pedestrian entry is provided via a central common pathway that runs throughout and connects the entire site.

The development will contain a variety of community facilities that are located in close proximity and easy to access, which will include a community building, bowling green, pool / gym facility, men's shed, garden shed, caravan wash/ loading area and associated waste holding area (**Appendix D**).

The development will also incorporate consulting suites, library and relaxation space, theatre room and bar area in the community facility building. The inclusions of an indoor pool lounge and mail room are also provided.

In addition to the above in developing the scheme, the applicant has considered adjoining proposed buildings in terms of setbacks, building separation, privacy and overshadowing along with these elements internally to the site. The proposal is considered to generate an excellent urban response to the site that responds to the quality of the surrounding area and adjoining development.

The entries to each of the new units are clearly identifiable and the use of landscaping and articulation provides a sense of entry and arrival (**Appendix E**). The proposed buildings have generous setbacks

and allow for appropriate building separation providing solar access to the proposed units and minimise overshadowing as far as practical. The setbacks also provide opportunities for landscaped areas that include deep soil areas.

The dwellings within the proposed development have been considered against *State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004* and the Australian Standards nominated in the attached document including AS1428 and AS4299 (**Appendix F**).

The proposal will generate an exemplary urban response to the site, responds to the high quality of the surrounding area and adjoining development. The proposal provides a scale, and amenity commensurate with the surrounding environment.

The proposal will provide improved housing supporting the population of Medowie and wider Port Stephens area. As the LGA continues to grow the proposal will assist in providing a diverse ranging of housing stock. The future growth of the Port Stephens LGA and subsequent changes in demographic makeup, means there remains a gap between the current housing production and future housing needs. The proposal will provide increased seniors housing production and add to the diversity of housing choice in the LGA.

In summary, and on balance, the proposed development will result in an enhanced planning outcome for the site and results in a development that is consistent with the desired future character for the locality. The proposal will provide additional housing supporting the wider population of the Medowie and wider Port Stephens area. As the LGA continues to grow the proposal will assist in reducing the pressure on seniors housing diversity, the growth within the LGA and changes in demographic makeup, and ageing population.

4.3 STORMWATER AND DRAINAGE

The Bower Development currently has an approved water quality management and treatment plan. The introduction of the Seniors Living Development has resulted in adjustments to the treatment requirements of the development. As such the proposed model shown in the attached Civil Engineering Design Report has been amended to cater for the increase in generated pollutants from the site.

The overall development site was divided into three major catchments, each containing a detention basin to reduce post development flow to or below current peak runoff from the site.

The Basin 1 catchment has been excluded from this pre and post analysis as much of the catchment has been developed or is currently approved for construction under the previous drainage strategy by GCA. The remaining development layout which is contained within the catchments for proposed Basins 2 and 3, has been amended to incorporate the proposed Seniors Living development. A revised drainage model was created for the remaining development area to review the potential impact of the proposed Seniors Living Development. Further details are provided in the attached civil and design report (**Appendix M**).

4.4 CIVIL WORKS

This civil engineering design report addresses the civil design, stormwater quantity and quality of the proposed Seniors Living development at The Bower, Medowie, along with its impacts on the current approved development application for the wider Bower development. Concept civil design, site grading and site access details have been provided in the report. Stormwater quantity and stormwater quality (both operational and construction phases) have also been addressed. Stormwater conveyance for the Seniors Living development will be in accordance with the minor / major system philosophy and the requirements of Port Stephens Council. The minor system consisting of surface inlet pits and pipes has been designed for the 20% AEP storm event. The major stormwater system will consist of the road reserve and will be designed for the 1% AEP storm event. This will align the proposed Seniors Living

development with the surrounding residential development. Further details are provided in the attached civil and design report (**Appendix M**).

4.5 BULK EARTHWORKS

The bulk earthworks for the development are detailed in the attached civil and design report (**Appendix M**). The report provide details on the cut and fill depths associated with the concept site grading along with typical sections cut across the development site.

4.6 LAND REMEDIATION

No land remediation is proposed or required for this site at this time of writing.

4.7 LANDSCAPING

The landscaped area includes paving and seating, and will form accessible enjoyable areas of open space. The landscape areas perform both a communal area for all residents as well as being accessible and convenient as open passive recreation areas. The use of fencing and other forms of screening, such as landscaping, maintains neighbourhood amenity and the development has a consistent residential form.

The buildings complement the topography and maintain a consistent form to that of the surrounding area. Planting is proposed that is sympathetic to the surrounding environment.

In considering visual and acoustic privacy outdoor and living areas of units have sufficient space to be complemented with landscaping to provide both the residents and the neighbouring dwellings privacy. Pathways and roadways have been landscaped to keep the existing amenity of the site. The use of separate roadways and pathways has been implemented to ensure the safety of the residents and guests.

Approximately 30.5% of the total site is proposed to be landscaped. Landscape plans are provided as attached (**Appendix E**).

4.8 ACCESS

The site will have an internal road network which will link with Boundary Road to the south and then Medowie Road (the main thoroughfare through the township of Medowie). Access to the residential area will still be via a single access on Medowie Road at the location of the existing Boundary Road intersection. This intersection is now completed and open to traffic. Existing traffic flows along Medowie Road in the vicinity of the site are low (in the order of 2500vpd) and well within acceptable limits for a two lane two way road.

Council's Medowie Traffic and Transport Study forecast future flows on Medowie Road in the vicinity of the subject site at a peak of around 600vph two way (and this includes the subject site traffic flows). This is well within the capacity of the existing road network.

Whilst the additional traffic generated by the revised development will increase the daily traffic flows on Medowie Road the forecast level of traffic, even allowing for 10 year growth in background traffic levels, forecast flows are still well within the capacity of this road (refer to **Appendix G** Traffic study for further analysis on traffic impacts and access).

4.9 SERVICING

The subject site currently has access to electricity, reticulated water and sewer, stormwater and telecommunications. Service connection and any capacity augmentation will be determined through application to the relevant service providers (Hunter Water, Ausgrid, Telstra, NBN etc). Hunter Water infrastructure (pump station) is also located near the site.

4.10 BUSHFIRE

The subject site is located within bushfire prone land, as per the Port Stephens Bushfire Prone Land Map. An assessment of the bushfire risk was undertaken in accordance with the RFS's Planning for Bushfire Protection 2006. The appropriate bushfire protection measures are identified in **Appendix I**.

An APZ of 60m is required between the Open Forest to the west of the site and the proposed development. This 60m setback is comprised of residential allotments and Western Road that will be managed as an IPA until future development occurs.

All dwellings can comply with Planning for Bushfire Protection should they follow the recommendations of the attached bushfire report.

An Emergency Response and Evacuation Plan is to be prepared for the site. This plan is to be consistent with the RFS document "A Guide to Developing Bushfire Evacuation Plan" (2004).

4.11 STAGING

It is anticipated that the development will be undertaken over seven (7) stages. A copy of the proposed staging plan is contained within the proposed architectural plans (**Appendix A**).

Although the construction stages are numbered, construction of each stage is not necessarily consecutive, nor is it reflective of stage sizing. The Proponent requests flexibility on the staging to account for possible changes due to, for example, market forces. In this regard, we ask that Council note that the plan is indicative only and subject to change.

4.12 WASTE MANAGEMENT

The proposed development will be provided with appropriate waste services. The architectural plans identify a bulk waste collection point along with waste drop off points within the site that are easily accessible for residents. The waste collection on site will be by a private provider. The onsite manager will empty localised collection point bins and transfer the waste to the bulk waste collection point for the contractor to dispose of off-site.

4.13 ADVERTISING SIGNAGE

No signage is proposed or required for this development. This DA does not propose advertisement related activities of any of the units / tenancies. This will either be via complying development or a future DA when development designed for signage is required.

5. STATUTORY CONSIDERATIONS

5.1 STRATEGIC PLANNING CONSIDERATIONS

5.1.1 Hunter Regional Plan

The Hunter Regional Plan (HRP) was released in 2016 by the NSW Department of Planning and Environment. The Plan is the strategic plan and vision document for guiding growth in the Hunter to 2036. At its centrepiece is the strategic direction for the Greater Newcastle area, which includes Port Stephens. The Greater Newcastle area is anticipated to accommodate an extra 600,000 people to 2036.

The Plan identifies that the aims for Greater Newcastle include:

- Connect strategic centres in Greater Newcastle.
- Develop a national Centre of Excellence for Health and Education.
- Expand the capacity of Global Gateways – Newcastle port and airport.
- Establish governance.

These aims are very broad. The proposal will continue to emphasise the objectives for the greater Newcastle Area with the provision of additional housing choice to support surrounding population growth, diversity in housing and improved senior living.

5.1.2 Port Stephens Planning Strategy 2011-2036

Council adopted the Port Stephens Planning Strategy (PSPS) 2011 - 2036 in December 2011. It is one of a suite of high level strategic documents produced by Council to guide the operations of Council and the future growth and sustainability of the LGA. The Strategy seeks to encourage sufficient supply of a diverse range of housing and an increase in employment and a balance between development and biodiversity in the Local Government Area (LGA).

The subject site is identified in the '*Eastern Growth Corridor*' encompassing Medowie, Williamtown, Newcastle Airport and Fullerton Cove / Fern Bay (**Figure 5**).

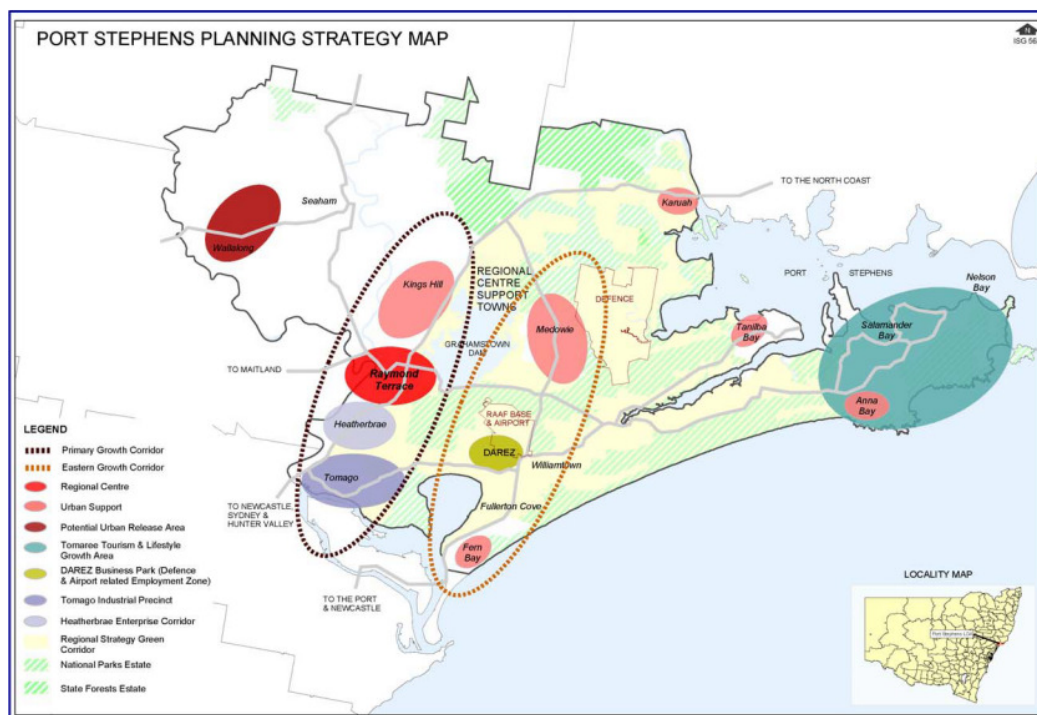


Figure 5 – Port Stephens Planning Strategy Map

The PSPS indicates significant new residential development is expected at Medowie which will experience a major expansion by 2031. This growth will increase demand for a range of housing in the area.

The proposal is considered to meet the objectives of the Strategy and is generally consistent with its Strategic Direction.

Overall, the proposed development is consistent with the objectives of the Port Stephens Planning Strategy 2011 - 2036.

5.1.3 **Medowie Planning Strategy**

Council adopted the Medowie Planning Strategy (the Strategy) in December 2016. The Strategy has been prepared to provide local direction for land use planning and sustainable growth over the next 20 years. It follows the identification of Medowie as a growth area in the Port Stephens Planning Strategy and the Hunter Regional Plan. The Strategy considers a range of local and State land use planning instruments and policies that are used to achieve sustainable development. It aims to guide land use allocation and other provisions of the Port Stephens Local Environmental Plan 2013.

The Medowie Planning Strategy identifies Medowie as a district that is experiencing growth of its ageing population at the highest rate in the LGA. These changing demographics will impact on types of future housing stock in Medowie.

The Medowie Planning Strategy acknowledges that the ageing population in Medowie will require more diverse housing choices, which are smaller, incorporate adaptable and high quality design features, and suitably located near services that are affordable.

Additional seniors housing in Medowie would contribute to the identified demands for an ageing population without question. Additionally, the proposed seniors housing would be consistent with the relevant key principles of that guide the Strategy.

The proposed development will be supported by all relevant infrastructure to ensure the longevity and specific land use for the unique purpose of seniors housing. The proposed seniors housing development has been designed with guidance of the SEPP (Housing for Seniors or People with a Disability) 2004 document and key development controls.

The proposed development will be incorporated within the Bower housing estate with appropriate access arrangements throughout the site and estate (see **Appendix G** for traffic report). A proposed pedestrian network will be created including a central and external pathway, with footpaths generally standard in width, having good levels of accessibility and interrelationships with the surrounding area and continuous paths of travel.

MUSIC modelling was used to assess the pollutant generation from the development and the performance of the stormwater quality treatment train. MUSIC modelling was undertaken previously as part of the original Bower Development Application. The new MUSIC model is a revised version of the original and accounts for the catchment and layout adjustments along with the increased yield proposed across the wider development, specifically in the Seniors Living Development. The proposed water management strategies for the subject development will adhere to the Strategies guidelines for water management.

5.1.4 Port Stephens Ageing Strategy

Port Stephens has prepared an ageing strategy. The strategy does not identify specific spatial outcomes but rather objectives including increasing housing choice and affordable housing options.

The proposed seniors housing will reflect the overall objectives of this strategy and provide additional seniors housing in Medowie which is noted to be one of the leading annual average contributors to residents over 55 years old.

5.2 STATE LEGISLATION

5.2.1 Environmental Planning & Assessment Act 1979

The following details the proposal against the relevant heads of consideration in Section 4.15(1), EP&A Act, as amended, in particular:

- Environmental planning instruments that are in force, proposed or exhibited.
- Development control plans.
- Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4.
- The regulations.
- Likely impacts to natural and built environments, society and economy.
- Suitability of the site for the proposed development.
- Public interest

It should be noted that no planning agreement or draft planning agreement has been entered into on the subject site.

Under Section 4.46 of the EP&A Act, a development application lodged on this site would be considered Integrated Development as authorisation and approval from the NSW RFS will be required for the development to be carried out (see detailed analysis below).

5.2.2 **Other Legislation**

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, in order for it to be carried out, requires development consent and one or more of the following approvals:

- *Fisheries Management Act 1994*
- *Threatened Species Conservation Act 1995/ Biodiversity Conservation Act 2016*
- *Heritage Act 1977*
- *Coal Mine Subsidence Compensation Act 2017*
- *National Parks and Wildlife 1974*
- *Protection of the Environment Operations Act 1997*
- *Roads Act 1993*
- *Rural Fires Act 1997*
- *Water Management Act 2000*

Fisheries Management Act 1994

No authorisation required.

Threatened Species Conservation Act 1995 and Biodiversity Conservation Act 2016

No authorisation required.

The site currently has approval for clearing under a DA approved as part of the broader Bower Estate.

As part of the previous approvals for the broader residential subdivision RPS Australia East Pty Ltd (RPS) was engaged to undertake a Flora and Fauna Assessment of the lands (identified then as 93 - 96 Boundary Road, Medowie). The assessment examined the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities listed within the then *Threatened Species Conservation Act 1995* (TSC Act).

Taking into account these considerations the larger residential subdivision includes areas set aside for environmental conservation. The subject site does not contain noted habitat, and the potential impact of the proposal upon threatened species is considered unlikely to be significant.

Notwithstanding, the attached Ecology Report (**Appendix H**) supports the above noted previous assessment and confirms that the site is free of ecological constraints that may trigger referral under the TSC and Biodiversity Conservation Act 2016.

Considering the above, impacts on threatened species / populations, EECs and migratory species are highly unlikely. It is considered that Assessments of Significance under Section 5A of the EP&A Act (i.e. seven-part tests) and impact assessments under the EPBC Act would not be required.

Heritage Act 1977

No authorisation required. A desktop search of the NSW State Heritage Inventory in June 2018 and Council's Heritage Register indicated that no items of significance are located within the subject site.

Coal Mine Subsidence Compensation Act 2017

The site is not identified in a Mine Subsidence District Map. No authorisation required.

National Parks and Wildlife Act 1974

No authorisation required.

An AHIMS search was undertaken and indicates that no items of Aboriginal heritage are located on the site or within 200m of the subject site (**Appendix L**).

Protection of the Environment Operations Act 1997

No authorisation is required.

Roads Act 1993

As no works on a classified road are proposed, it is considered that no authorisation from the Roads and Maritime Service is required.

Rural Fires Act 1997

Authorisation and external referral will be required for the appropriate assessment of the proposed seniors housing.

The site is located in an identified bushfire prone area. Authorisation from NSW RFS is required for the approval and appropriate conditions of consent to be issued.

A bushfire report is provided with this development application (**Appendix I**) which recommends:

An APZ of 60m is required between the Open Forest to the west of the site and the proposed development. This 60m setback is comprised of residential allotments and Western Road that will be managed as an IPA until future development occurs.

An Emergency Response and Evacuation Plan is to be prepared for the site. This plan is to be consistent with the RFS document "A Guide to Developing Bushfire Evacuation Plan" (2004).

Water Management Act 2000

The Water Management Act 2000 aims to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations. Under the Water Management Act, Activity Approvals are required for certain development. In this instance, a controlled activity approval is not considered to be required as the proposed development is not located on waterfront land.

5.3 STATE ENVIRONMENTAL PLANNING POLICIES

A review was conducted of the State Environmental Planning Policies (SEPP) which may apply to the development:

- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Building Sustainability Index) 2004
- State Environmental Planning Policy No. 44 – Koala Habitat Protection

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environment Planning Policy (Housing for Seniors or people with a disability) 2004.

5.3.1 **State Environmental Planning Policy (Coastal Management) 2018**

This SEPP updates and consolidates and repeals SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection), including Clause 5.5 of the Standard Instrument – Principal Local Environmental Plan.

The Coastal Management SEPP gives effect to the objectives of the Coastal Management Act 2016 from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the coastal zone.

The subject site is not identified to be within a Coastal Wetland Area, Littoral Rainforest Area, Coastal Environmental Area or Coastal Use area. As such, this development does not need assessment under the applicable coastal areas.

5.3.2 **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

The State Environmental Planning Policy was enacted to ensure homes are designed to use less potable water and minimise greenhouse gas emissions by setting energy and water reduction targets for residential houses and units.

Regulations under the Act have established a scheme to encourage sustainable residential development (***the BASIX Scheme***) under which:

An application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development, must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out.

The carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate, will be subject to a condition requiring such commitments to be fulfilled.

BASIX is an online program that is accessible to anyone. The designer enters data relating to the house or unit design such as location, size, building materials etc. into the BASIX tool. BASIX analyses this data and determines how it scores against the Energy and Water targets.

The design of the house or residential units must pass specific targets (which vary according to location and building type) before the user can print the BASIX Certificate. A BASIX assessment has been undertaken as part of the proposed development and has been attached under Certificate number: **917139M (Appendix C)**.

5.3.3 **State Environmental Planning Policy No. 44 – Koala Habitat Protection**

The Policy aims to '*encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline*':

1. *By requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and*
2. *By encouraging the identification of areas of core koala habitat, and*

3. *By encouraging the inclusion of areas of core koala habitat in environment protection zones'.*

SEPP 44 applies to the Port Stephens local government area. Part 2 of the SEPP applies to development applications on land greater than 1ha, or if the land which, together with adjoining land in the same ownership, has an area of more than 1ha.

The subject site is a lot with an area of excess of 1ha, and as so, this SEPP will apply to the subject site. However, as noted above, part of the previous approvals for the broader residential subdivision RPS Australia East Pty Ltd (RPS) was engaged to undertake a Flora and Fauna Assessment of the lands (identified then as 93 - 96 Boundary Road, Medowie). The assessment examined the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities listed within the then *Threatened Species Conservation Act 1995* (TSC Act).

Taking into account these considerations the larger residential subdivision includes areas set aside for environmental conservation. The subject site does not contain noted habitat, and the potential impact of the proposal upon threatened species is considered unlikely to be significant.

An assessment however under the Performance Criteria for Development Applications, in the Port Stephens CKPoM has been undertaken, as due diligence. This assessment (which is provided in Attachment G in **Appendix H**), concludes that the proposal would be consistent with the Port Stephens CKPoM Performance Criteria for Development Applications.

5.3.4 **State Environmental Planning Policy No. 55 – Remediation of Land**

The objectives of this SEPP are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- a) *By specifying when consent is required, and when it is not required, for a remediation work.*
- b) *By specifying certain considerations that are relevant in rezoning land and in determining Development Applications in general and Development Applications for consent to carry out a remediation work in particular.*
- c) *By requiring that a remediation work meet certain standards and notification requirements.*

Under Clause 7(1) of the SEPP a consent authority must not consent to the carrying out of any development on land unless:

- a) *It has considered whether the land is contaminated.*
- b) *If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.*
- c) *If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

No notices or declarations have been issued for the site under the *Contaminated Land Management Act 1997*.

The proposed development will not result in a change of use on the site; therefore Clause 7(2) does not apply.

As the contaminated land register did not identify the site as being contaminated, no further investigations are therefore considered necessary.

In addition, the attached Contamination Report (**Appendix K**) has concluded that no further contamination investigations are required for the site. The site is considered suitable for the proposed seniors living development from a contamination perspective.

5.3.5 **State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004**

- (1) This Policy aims to encourage the provision of housing (including residential care facilities) that will:
 - (a) Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
 - (b) Make efficient use of existing infrastructure and services, and
 - (c) Be of good design.
- (2) These aims will be achieved by:
 - (a) Setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and
 - (b) Setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and
 - (c) Ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes.

As previously noted, the proposed development is for 110 Seniors Living units. Therefore, *SEPP (Housing for Seniors or people with a Disability) 2004* will apply to the proposal.

Table 2 – Table 9 below will provide a summary of comments in regards to the controls relating to seniors housing development under the *SEPP (Housing for Seniors or people with a Disability) 2004*.

Chapter 3 – Development for Seniors Housing

Table 2: Part 2: Site-related Requirements

CLAUSE AND PROVISION	COMMENT
Clause 26: Location and Access to Facilities	
(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with Subclause (2) to: (a) Shops, bank service providers and other retail and commercial services that residents may reasonably require.	The site is located within the suburb of Medowie. This location will provide residents of the development to many and varied opportunities within the greater Port Stephens area. The residents will have multiple options to maintain individual choices and also have access to a community lifestyle. The site is in the central region of the Port Stephens Local Government Area (LGA) and is approximately 10kms to the north of Newcastle Airport (Williamstown), 15kms east of Raymond Terrace and 30kms north of Newcastle Central Business District. Within Medowie are a number of shopping precincts that exist including: • Coles shopping centre. • Woolworths shopping centre. • Ferodale Road, Medowie (neighbourhood shops and associated banking services). The proposed development can incorporate an ATM for the convenience of the residents of the seniors housing estate. The ongoing management of the estate can provide this if required.
(b) Community services and recreation facilities.	The proposed site will be integrated within the Medowie Bower Estate which has been approved for low density residential development. The Medowie area offers a number of local community services and recreation facilities, such as: • Pacific Dunes Golf Course and associated club house • Medowie Community Centre • Bull 'N Bush Hotel • Overflow Church Medowie • St Christopher's Medowie Church • St Francis Anglican Church • Medowie Motors Pty Ltd • Medowie Car Care • Medowie Post Office The proposed development will incorporate:

CLAUSE AND PROVISION	COMMENT
	• A community Building • Bowling Green • Pool / Gym Facility • Men's Shed • Garden Shed • Caravan wash/ loading area • The site will be located in close proximity to the Bower Estate public park Support services are also accessible within Raymond Terrace (approximately 15 minutes by motor vehicle) such as: • Library • Centrelink • Various banking service providers • RMS NSW • Raymond Terrace Market Place
(c) The practice of a general medical practitioner.	The Medowie area offers a number of local general medical practitioners such as: • Medowie Family Clinic • Health in Abundance Family Medical Practice • Medowie Medical Centre Support services are also accessible within Raymond Terrace such as: • Raymond Terrace Family Practice (Raymond Terrace Medical Clinic) The proposed development will incorporate suite/office rooms for on-site general practitioners.
(2) Access complies with this clause if: a) The facilities and services referred to in Subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway.	The site is not located within 400m of the facilities and services referred to in Subclause (1). However, the following account is provided that provides justification on the matter: 1. Despite assessment being made under the <i>SEPP (Housing for Seniors or people with a Disability) 2004</i> the <i>Port Stephens Local Environmental Plan 2013</i> allows seniors housing as development with consent in the R2 land zone. It is anticipated that the provisions of seniors housing in this land zone has had some consideration with the locality requirements of the SEPP and the location in context of land zoned for R2 – Low Density Residential.

CLAUSE AND PROVISION	COMMENT
	2. The proposed development will meet the requirements of providing community services and recreation facilities in the form of a community building, gym / pool facilities, garden shed, men's shed and bowling green. 3. As noted above, the development will incorporate a suite rooms designated for on-call and weekly general practitioner services. 4. The site will be well serviced by access and pedestrian routes to and around the estate (including the Bower and greater Medowie area). 5. A private bus shuttle services is proposed to be incorporated for the service of the seniors housing site (providing access to Medowie Town Centre and Raymond Terrace commercial centre). 6. Public bus services and bus stops have been proposed as part of the original subdivision for the Bower Estate. The proposed development will be in close proximity to these bus stops/ services. 7. The proposed development is for <i>self-contained dwellings</i>, meaning that residents will still have a degree of independence and much are anticipated to own and operate a motor vehicle. 8. Online services are more accessible than ever. Despite not being located within 400m of a retail and commercial service, it is proposed that this requirement is slowly becoming redundant and out of date with how society can operate today with online services.
(b) In the case of a proposed development on land in a local government area within the Sydney Statistical Division, there is a public transport service available to the residents who will occupy the proposed development: (i) That is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway.	The subject site is not located within the Sydney Statistical Division.

CLAUSE AND PROVISION	COMMENT
(c) In the case of a proposed development on land in a local government area that is not within the Sydney Statistical Division—there is a transport service available to the residents who will occupy the proposed development: (i) That is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway.	As previously noted above. The proposed development will incorporate a community bus to provide quick and easy access to the Medowie town centre and Raymond Terrace town centre. Further, the Bower Estate has been designed to cater for public transport (bus services) access to the residents of the estate (and subsequently, the senior residents of the proposed development). These transport services will be located within 400 metres of the proposed development.
(ii) That will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in Subclause (1).	As previously noted above. The proposed development will incorporate a community bus to provide quick and easy access to the Medowie town centre and Raymond Terrace town centre. Further, the Bower Estate has been designed to cater for public transport (bus services) access to the residents of the estate (and subsequently, the senior residents of the proposed development). These transport services will be located within 400 metres of the proposed development.
(iii) That is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services (and from the transport services to the facilities and services referred to in Subclause (1)) complies with Subclause (3).	The shuttle bus mentioned in the previous sections can be supported by a well-adapted time table providing multiple options for transit times. This will be subject to the going management entity of the estate. Further, while not currently serviced with the public bus transport service that services Medowie, it is understood that public transport facilities will become available and function throughout the Bower Estate.
(3) For the purposes of Subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in Subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable: (i) A gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time.	Complies. Pedestrian access for residents is along well maintained pathways of minimal slope.

CLAUSE AND PROVISION	COMMENT
(ii) A gradient of no more than 1:10 for a maximum length of 5 metres at a time.	Complies. Pedestrian access for residents is along well maintained pathways of minimal slope.
(iii) Gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.	Complies. Pedestrian access for residents is along well maintained pathways of minimal slope.
(4) For the purposes of subclause (2): (a) A suitable access pathway is a path of travel by means of a sealed footpath or other similar and safe means that is suitable for access by means of an electric wheelchair, motorised cart or the like, and	Complies. Pedestrian access for residents is along well maintained pathways of minimal slope.
(b) Distances that are specified for the purposes of that subclause are to be measured by reference to the length of any such pathway.	Complies.
(5) In this clause: bank service provider means any bank, credit union or building society or any post office that provides banking services.	It is noted that Medowie contains a Newcastle Permeant Building Society Banking Branch located within the town's main commercial district. Minor banking services can be obtained at Medowie Post Office in the town centre. The township of Raymond Terrace provides Medowie with the closest available destination for further banking service providers.
Clause 27: Bushfire Prone Land	
(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bushfire prone land map certified under Section 10.3 of the Act as "Bushfire prone land—vegetation category 1", "Bushfire prone land—vegetation category 2" or "Bushfire prone land—vegetation buffer" unless the consent authority is satisfied that the development complies with the requirements of the document titled <i>Planning for Bush Fire Protection</i> , ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.	The site is located within a designed bushfire prone area as per the NSW RFS bushfire mapping tool. The site is identified to be within Bushfire prone land - vegetation category 1 and Bushfire prone land - vegetation buffer. A bushfire report has been prepared for this development application (Appendix I).
(2) A consent authority, in determining a development application made pursuant to this Chapter to carry out development on land in the vicinity of land identified on a bush fire prone land map certified under	

CLAUSE AND PROVISION	COMMENT																																																									
section 10.3 of the Act as “Bush fire prone land—vegetation category 1”, “Bushfire prone land—vegetation category 2” or “Bushfire prone land—vegetation buffer”, must take into consideration the general location of the proposed development, the means of access to and egress from the general location and other relevant matters, including the following:																																																										
(a) The size of the existing population within the locality.	The ABS (2016) noted that the population size of Medowie was approximately 9,563.																																																									
(b) Age groups within that population and the number of persons within those age groups.	<table><tr><th>Age</th><th>Medowie</th><th>Percentage (%)</th></tr><tr><td>0 - 4 years</td><td>750</td><td>7.8</td></tr><tr><td>5 - 9 years</td><td>784</td><td>8.2</td></tr><tr><td>10 - 14 years</td><td>746</td><td>7.8</td></tr><tr><td>15 - 19 years</td><td>642</td><td>6.7</td></tr><tr><td>20 - 24 years</td><td>513</td><td>5.4</td></tr><tr><td>25 - 29 years</td><td>500</td><td>5.2</td></tr><tr><td>30 - 34 years</td><td>669</td><td>7.0</td></tr><tr><td>35 - 39 years</td><td>660</td><td>6.9</td></tr><tr><td>40 - 44 years</td><td>797</td><td>8.3</td></tr><tr><td>45 - 49 years</td><td>656</td><td>6.9</td></tr><tr><td>50 - 54 years</td><td>678</td><td>7.1</td></tr><tr><td>55 - 59 years</td><td>589</td><td>6.2</td></tr><tr><td>60 - 64 years</td><td>472</td><td>4.9</td></tr><tr><td>65 - 69 years</td><td>447</td><td>4.7</td></tr><tr><td>70 - 74 years</td><td>336</td><td>3.5</td></tr><tr><td>75 - 79 years</td><td>186</td><td>1.9</td></tr><tr><td>80 - 84 years</td><td>99</td><td>1.0</td></tr><tr><td>85 years and over</td><td>43</td><td>0.4</td></tr></table>	Age	Medowie	Percentage (%)	0 - 4 years	750	7.8	5 - 9 years	784	8.2	10 - 14 years	746	7.8	15 - 19 years	642	6.7	20 - 24 years	513	5.4	25 - 29 years	500	5.2	30 - 34 years	669	7.0	35 - 39 years	660	6.9	40 - 44 years	797	8.3	45 - 49 years	656	6.9	50 - 54 years	678	7.1	55 - 59 years	589	6.2	60 - 64 years	472	4.9	65 - 69 years	447	4.7	70 - 74 years	336	3.5	75 - 79 years	186	1.9	80 - 84 years	99	1.0	85 years and over	43	0.4
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85 years and over	43	0.4																																																								
(c) The number of hospitals and other facilities providing care to the residents of the facilities within the locality, and the number of beds within those hospitals and facilities.	• Medowie has three (3) general practitioners available within the town. • Raymond Terrace has the provision of one family practice and a medical clinic. • The John Hunter Hospital is the leading (Hunter) region hospital with approximately 650 beds available. • Maitland Hospital has approximately 100 - 199 beds.																																																									
(d) The number of schools within the locality and the number of students at those schools.	Medowie has a total of three (3) public and private schools. • Medowie Christian (K-12) school has approximately 401 students.																																																									

CLAUSE AND PROVISION	COMMENT
	• Medowie Public School (Primary) has approximately 352 students. • Wirreanda Public School (Primary) has approximately 610 students. Note: Student numbers have been provided by myschool.edu.au
(e) Existing development within the locality that has been carried out under this Policy or <i>State Environmental Planning Policy No 5—Housing for Older People or People with a Disability</i> .	To our knowledge and understanding, no development exists that was carried out by <i>State Environmental Planning Policy No 5—Housing for Older People or People with a Disability</i> within proximity of the subject site.
(f) The road network within the locality and the capacity of the road network to cater for traffic to and from existing development if there were a need to evacuate persons from the locality in the event of a bush fire	A traffic (Appendix G) and bushfire (Appendix I) report have been provided in support of this development application. Accordingly, assessment on the capacity of traffic volume during evacuation events has been determined to be feasible or the subject development and site (refer to Section 7.1 of the Bushfire Report conducted by Firebird, 2018).
(g) The adequacy of access to and from the site of the proposed development for emergency response vehicles.	Can comply. Refer to the attached bushfire assessment report (Appendix I).
(h) The nature, extent and adequacy of bush fire emergency procedures that are able to be applied to the proposed development and its site.	N/A. The attached bushfire report (Appendix I) does not provide an emergency and evacuation management plan at this stage of the Development Application. It is noted that this will be provided prior to the occupation certificate for this development. This will be required to be conditioned accordingly.
(i) The requirements of New South Wales Fire Brigades.	Under Section 4.46 of the EP&A Act, a development application lodged on this site would be considered Integrated Development as authorisation and approval from the NSW RFS will be required.
(3) In exercising its functions under Subclause (1) or (2), a consent authority must consult with the NSW Rural Fire Service and have regard to its comments.	Council are to consult with the NSW RFS and to condition accordingly.

Table 3: Part 3: Design Requirements – Division 1 General

CAUSE AND PROVISION	COMMENT
Clause 30: Site Analysis	
(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.	Site analysis has been prepared by Space Design Architecture (SDA) (DA 001) and complies, refer to Appendix A .
(2) A site analysis must: (a) Contain information about the site and its surrounds as described in Subclauses (3) and (4). (b) Be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site): (i) Explaining how the design of the proposed development has regard to the site analysis, and (ii) Explaining how the design of the proposed development has regard to the design principles set out in Division 2.	a) Information regarding the site is contained in Section 3 of this statement and the site analysis plan for the proposed development. b) This statement along with attached documentation meets these requirements.
(i) Explaining how the design of the proposed development has regard to the site analysis, and	As above.
(ii) Explaining how the design of the proposed development has regard to the design principles set out in Division 2.	Complies. The proposed development maintains appropriate urban form, and a consistency with the surrounding environment. Further details are outlined below.
(3) The following information about a site is to be identified in a site analysis: (a) Site dimensions: • Length • Width	A site survey is attached to this statement which outlines required information as Appendix A (DA 002).
(b) Topography: • Spot levels and / or contour, north point, natural drainage, any contaminated soils or filled areas.	A site topography plan is provided in Appendix M and is referenced as FIG-002.
(c) Services: • Easements connections for drainage and utility services.	Easements are provided for services. Refer to stormwater management plan attached to this statement which outlines required information as Appendix M .
(d) Existing vegetation: • Location • Height • Spread of established trees • Species	The site currently has approval for clearing under a DA approved as part of the broader Bower Estate.

CAUSE AND PROVISION	COMMENT
	As part of the previous approvals for the broader residential subdivision RPS Australia East Pty Ltd (RPS) was engaged to undertake a Flora and Fauna Assessment of the lands (identified then as 93-96 Boundary Road, Medowie). The assessment examined the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities listed within the then <i>Threatened Species Conservation Act 1995 (TSC Ac 1995t)</i>. Nonetheless, details as requested are provided throughout the attached Ecology Report (Appendix H).
(e) Micro climates: • Orientation and prevailing winds	The development will not impact on the existing micro-climate. The development has been designed and orientated to capture prevailing winds as far as practical. Refer site analysis plan prepared by SDA Appendix A.
(f) Location of: • Buildings and other structures. • Heritage features and items including archaeology. • Fences, property boundaries, pedestrian and vehicle access.	All locational details are provided. Refer plans prepared by SDA at Appendix A.
(g) Views to and from the site	A plan prepared by SDA has been attached outlining required information as Appendix A.
(h) Overshadowing by neighbouring structures	As the surrounding dwellings are relatively low there will be minimal overshadowing. A sun study was completed by SDA and is attached at Appendix A.
(4) The following information about the surrounds of a site is to be identified in a site analysis: (a) Neighbouring buildings: • Location. • Height. • Use. • Balconies on adjacent properties. • Pedestrian and vehicle access to adjacent properties.	Refer site analysis plan prepared by SDA at Appendix A.
(b) Privacy: • Adjoining private open spaces. • Living room windows overlooking site.	The units have been designed to be provided with private open space with living room window overlooking the space and include accessible doors. Refer plans prepared by SDA at Appendix A.

CAUSE AND PROVISION	COMMENT
Location of any facing doors and/or windows.	
(c) Walls built to the site's boundary: - Location - Height - Materials	Not applicable, walls are not proposed to be built to the boundary, refer Appendix A .
(d) Difference in levels between the site and adjacent properties at their boundaries.	The subject site will be relative level with the overall Bower Estate. The proposed development will not be required to be located on top of a mound of any sort which would ultimately lead to a difference between the site and adjacent properties at their boundaries.
(e) Views and solar access enjoyed by neighbouring properties.	The proposal is small scale having a low form and bulk. The prominent views of adjoining sites will be unaffected by the proposed development. Given the building separation and low nature of the development the proposal does not impact on solar access of adjoining sites. Refer Sun Study prepared by SDA at Appendix A .
(f) Major trees on adjacent properties.	Not applicable, as there are no major trees on the subject site.
(g) Street frontage features: - Poles - Trees - Kerb crossovers - Bus stops - Other services	The site is currently underdeveloped. However, this statement and attached supporting documents provides information that would ensure the existing street frontage will be improved because of this development. Refer to architectural plans at Appendix A .
(h) The built form and character of adjacent development (including buildings opposite on both sides of the street(s) fronted): - Architectural character - Front fencing - Garden styles	Complies. The proposal maintains a character and form consistent the development on the site and that of adjoining properties. Refer SDA plans at Appendix A .
(i) Heritage features of surrounding locality and landscape	Not applicable
(j) Direction and distance to local facilities: - Local shops - Schools - Public transport - Recreation and community facilities	Refer back to Table 2 and table 3 of this report for summary of local facilities.

CAUSE AND PROVISION	COMMENT
(k) Public open space: • Location • Use	The proposed development directly adjoins public open space and community facilities.
(l) Adjoining bushland or environmentally sensitive land.	The proposed development will adjoin bushland and environmentally sensitive land. It will however not be constructed in the above areas.
(m) Sources of nuisance: • Flight paths. • Noisy roads or significant noise sources. • Polluting operations.	The subject site is well separated from existing sources of nuisance.
(n) Adjoining land uses and activities (such as agricultural activities).	Adjoining land uses consist of residential dwellings and bushland.

Clause 31: Design of In-fill Self-care Housing

In determining a development application made pursuant to this Chapter to carry out development for the purpose of in-fill self-care housing, a consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004.

In the preparation of the proposed development the applicant has taken into consideration the provisions of the Seniors Living Policy and the *SEPP (Housing for Seniors or People with a Disability) 2004*. The five sections of the Seniors Living Policy were considered as follows:

1. Improving neighbourhood fit. The Policy was used in conjunction with Clause 33 and 30 of the *SEPP*.
2. Improving site planning and design. The Policy was used in conjunction with Clause 32 and 34 of the *SEPP*.
3. Reducing impacts on streetscape. The Policy was used in conjunction with Clause 33 and 34 of the *SEPP*.
4. Reducing impacts on neighbourhood properties. The Policy was used in conjunction with Clause 33 and 34 of the *SEPP*.
5. Improving internal site amenity. The Policy was used in conjunction with Clause 32, 37 and 38 of the *SEPP*.

Clause 32: Design of Residential Development

A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2. The following tables demonstrate the applicant has given consideration to the principles of Division 2 for the proposed development

Table 4: Part 3: Design Requirements – Division 2 Design Principles

CLAUSE AND PROVISION	COMMENT
Clause 33: Neighbourhood Amenity and Streetscape	
The proposed development should:	This development will integrate within the newly created subdivision/ estate that is known as 'The Bower'.
(a) Recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area.	The proposed development is for an architecturally designed senior's housing development that appropriately responds to surrounding context and community needs for the provisions of seniors housing.
(b) Retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and	The subject site does not contain any heritage conservation areas in the vicinity. As previously noted no heritage items were identified.
(c) Maintain reasonable neighbourhood amenity and appropriate residential character by:	Complies. All the buildings are single storey and consistent with the character and amenity of the surrounding area. The proposed development design has utilised generous setbacks to prevent overshadowing of adjoining dwellings and properties. The use of fencing and other form of screening such as landscaping maintains neighbourhood amenity and the development has a consistent residential form.
(i) Providing building setbacks to reduce bulk and overshadowing.	
(ii) Using building form and siting that relates to the site's land form.	Complies. The buildings complement the topography and maintain a consistent form to that of the surrounding area.
(iii) Adopting building heights at the street frontage that are compatible in scale with adjacent development.	Complies. The proposed development is single story which complements the existing seniors living units as well as the surrounding residential dwellings.
(iv) Considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours.	Not applicable.
(d) Be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line.	Not applicable as the building are to the rear of the site.
(e) Embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape.	Planting is proposed that is sympathetic to the surrounding environment (Appendix E).
(f) Retain, wherever reasonable, major existing trees.	Not applicable, the site contains no major trees.
(g) Be designed so that no building is constructed in a riparian zone.	Not applicable.

CLAUSE AND PROVISION	COMMENT
Clause 34: Visual Acoustic Privacy	
The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by: (a) Appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping.	In considering visual and acoustic privacy a number of design elements were incorporated into the design of the proposed development. The typical building footprint layout is shown in the attached architectural plans (Appendix A). The typical residential layout for landscaping is shown in the attached landscape plan (Appendix E). The outdoor and living areas of each of the proposed units were complemented with landscaping, design layout and P.O.S to provide both the residents and the neighbouring dwellings adequate privacy.
(b) Ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths. Note: The Australian and New Zealand Standard entitled AS/NZS 2107–2000, Acoustics—Recommended design sound levels and reverberation times for building interiors and the Australian Standard entitled AS 3671—1989, Acoustics—Road traffic noise intrusion—Building siting and construction, published by Standards Australia, should be referred to in establishing acceptable noise levels.	The proposal will maintain acceptable noise levels with bedrooms appropriately separate from driveways, parking area and paths.
Clause 35: Solar Access and Design for Climate	
The proposed development should: (a) Ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space.	Each residential unit will be single story in character and size which will prevent larger overshadowing to adjoining dwellings. The attached shadow diagrams indicate ample natural sunlight can penetrate into each and every senior's residential unit, including private open space. In addition, the community building will be at a size and design that will ensure natural sunlight can be achieved throughout the day.
(b) Involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	Windows of living and dining areas/ living room of each unit design have been designed to ensure natural light and ventilation into the units at the most practical locations (Appendix B).

CLAUSE AND PROVISION	COMMENT
Note: AMCORD: A National Resource Document for Residential Development, 1995, may be referred to in establishing adequate solar access and dwelling orientation appropriate to the climatic conditions.	
Clause 36: Stormwater	
36 Stormwater The proposed development should: (a) Control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas.	The existing driveway and new car spaces will ensure stormwater drains into Surface Inlet Pits. Refer to Civil Engineers Details - driveway (Appendix M). The widths of pathways have been kept to a minimum whilst also providing adequate access for residents. Deep soil zone landscaping has also been incorporated into the landscape design surrounding pathways.
(b) Include, where practical, on-site stormwater detention or re-use for second quality water uses.	OSD has been implemented where practical to ensure stormwater from the site can be safely controlled. See Appendix A for location and refer also to Civil Engineers Details (Appendix M). The site is serviced by existing detention basins in the Bower Estate. The use of an overland flow zone at the northern part of the site has also been implemented for site stormwater. Refer Stormwater Management Plan (Appendix M).
Clause 37: Crime prevention	
The proposed development should provide personal property security for residents and visitors and encourage crime prevention by: (a) Site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street.	Proposed units have been designed so that a clear line of site from the dining room / living room and kitchen can observe the pathway between road network and community footpaths.
(b) Where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked.	Not applicable.
(c) Providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	As noted, proposed units have been designed so that a clear line of site from the dining room / living room and kitchen can observe the pathway between road network and community footpaths.

CLAUSE AND PROVISION	COMMENT
Clause 38: Accessibility	
The proposed development should: (a) Have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities.	The proposed development provides a hardstand pathway all throughout the proposed community which allows easy and clear access to the front of the site allowing for access to public transport and pick up points – should that need arise. Nonetheless, the proposed senior's housing development has been designed in a way that promotes the site to be its own community with appropriate pathways and road networks for easy access throughout the site and into each proposed unit.
(b) Provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	Pathways and roadways have been landscaped to keep the existing amenity of the site. The use of separate roadways and pathways has been implemented to ensure the safety of the residents and guests. Proposed units will have the capacity to hold 1 - 2 private vehicles with the option of off-street stacked parking. The proposed development has the capacity to provide nine (9) visitor parking spots (including 2 disabled parking spots).

Clause 39 Waste Management

The proposed development is provided with waste facilities that maximise recycling by the provision of appropriate facilities. A private contractor will provide waste management services.

Table 5: Part 4: Development Standards to be complied with – Division 1 – General

CLAUSE AND PROVISION	COMMENT
Clause 40: Development Standards—Minimum Sizes and Building Height	
(1) General A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.	See below.
(2) Site size the size of the site must be at least 1,000 square metres.	The total size of the site is approximately 44ha. The total area of the development is approximately 5.4ha.

CLAUSE AND PROVISION	COMMENT
(3) Site frontage the site frontage must be at least 20 metres wide measured at the building line.	The site frontage will exceed 20m from the building line
(4) Height in zones where residential flat buildings are not permitted If the development is proposed in a residential zone where residential flat buildings are not permitted: (a) The height of all buildings in the proposed development must be 8 metres or less. Note: Development consent for development for the purposes of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See Clauses 48 (a), 49 (a) and 50 (a).	The site is zoned R2 Low Density Residential. Residential flat buildings are not permitted under the Port Stephens LEP, 2013 under the abovementioned land zone. a) The proposed development (both community buildings and residential units) will be single story buildings under 8 metres in height. As such, will comply with the SEPP and cannot be refused on the grounds of height (refer to Appendix B and D).
(b) A building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storey in height. Note: The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.	The proposed development is single story buildings therefore does not create an abrupt change in the scale of development in the streetscape.
(c) A building located in the rear 25% area of the site must not exceed 1 storey in height.	Buildings located in the rear of the site do not exceed 1 storey in height
(5) Development applications to which clause does not apply Subclauses (2), (3) and (4) (c) do not apply to a development application made by any of the following: (a) The Department of Housing.	The applicant is not Department of Housing or any other social housing provider, see below for further details.
(b) Any other social housing provider.	Not applicable – therefore the applicable subclauses will apply to this proposed development.

Table 6: Part 4: Development Standards to be complied with – Division 3 – Hostels and self-contained dwellings – standards concerning accessibility and useability

CLAUSE AND PROVISION	COMMENT
Clause 41: Standards for Hostels and Self-contained Dwellings	
(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.	Schedule 3 will be addressed in detail in the proceeding section.
(2) Despite the provisions of Clauses 2, 7, 8, 9, 10, 11, 12, 13 and 15–20 of Schedule 3, a self-contained dwelling, or part of such a dwelling, that is located above the ground floor in a multi-storey building does not have to comply with the requirements of those provisions if the development application is made by, or by a person jointly with, a social housing provider.	The applicant for the proposed development is not a registered social housing provider and the proposed development is a single storey development.

Part 1 – Standards Applying to Hostels and Self-contained Dwellings

Table 6: Schedule 3 – Standards concerning accessibility and useability for hostels and self-contained dwellings

CLAUSE AND PROVISION	COMMENT
1 Application of Standards in this Part	
The standards set out in this Part apply to any seniors housing that consists of hostels or self-contained dwellings.	The proposed development consists of self-contained dwellings as such these standards apply.
2 Siting Standards	
(1) Wheelchair access If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.	A continuous accessible path has been incorporated into the proposed development.
(2) If the whole of the site does not have a gradient of less than 1:10:	Not applicable
(a) The percentage of dwellings that must have wheelchair access must equal the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the greater.	

CLAUSE AND PROVISION	COMMENT
(b) The wheelchair access provided must be by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road or an internal road or a driveway that is accessible to all residents. (3) Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and common facilities associated with the development.	A continuous accessible path has been incorporated into the proposed development.
3 Security	
Pathway lighting: (a) Must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and (b) Must provide at least 20 lux at ground level.	Pathway lighting will be installed to comply with all relevant standards whilst also helping contribute to crime prevention. The placement of lights will provide adequate lighting to eliminate dark corners and safe access for residents.
4 Letterboxes	
(a) Must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and (b) Must be lockable, and (c) Must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.	Letter boxes will be installed to comply with all relevant standards.
5 Private Car Accommodation	
If car parking (not being car parking for employees) is provided: (a) Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890. (b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres. (c) Any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.	Car parking spaces will comply with the relevant standard.

CLAUSE AND PROVISION	COMMENT
6 Accessible Entry	
Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with Clauses 4.3.1 and 4.3.2 of AS 4299.	Entries will comply with relevant standards.
7 Interior: General	
(1) Internal doorways must have a minimum clear opening that complies with AS 1428.1. (2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres. (3) Circulation space at approaches to internal doorways must comply with AS 1428.1.	Interiors will comply with relevant standards.
8 Bedroom	
At least one bedroom within each dwelling must have: (a) An area sufficient to accommodate a wardrobe and a bed sized as follows: (i) In the case of a dwelling in a hostel - a single-size bed. (ii) In the case of a self-contained dwelling - a queen-size bed. (b) A clear area for the bed of at least: (i) 1,200 millimetres wide at the foot of the bed. (ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction. (c) 2 double general power outlets on the wall where the head of the bed is likely to be. (d) At least one general power outlet on the wall opposite the wall where the head of the bed is likely to be. (e) A telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet. (f) Wiring to allow a potential illumination level of at least 300 lux.	Complies, all dwelling units are design and of a sufficient size. Power and phone services will be provided. Refer to architectural plans attached as Appendix B .

CLAUSE AND PROVISION	COMMENT
9 Bathroom	
(1) At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1: (a) A slip-resistant floor surface. (b) A washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1. (c) A shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future: (i) A grab rail (ii) Portable shower head (iii) Folding seat (d) A wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it. (e) A double general power outlet beside the mirror. (2) Subclause (1) (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.	Can comply. All bathrooms are on the ground floor and designed to comply with AS 1428.1. Refer architectural plans at Appendix B.
10 Toilet	
A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.	Each dwelling will contain a minimum of one toilet and will comply with relevant standards.
11 Surface Finishes	
Balconies and external paved areas must have slip-resistant surfaces. Note: Advice regarding finishes may be obtained from AS 1428.1.	Can comply.
12 Door Hardware	
Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.	Can comply. All hardware will be designed to comply with AS 4299.

CLAUSE AND PROVISION	COMMENT
13 Ancillary Items	
Switches and power points must be provided in accordance with AS 4299.	Can comply. All switches and points will be designed to comply with AS 4299.

Part 2 – Additional Standards for Self-contained Dwellings

Table 7: Schedule 3 – Standards concerning accessibility and useability for hostels and self-contained dwellings

CLAUSE AND PROVISION	COMMENT
14 Application of Standards in this Part	
The standards set out in this Part apply in addition to the standards set out in Part 1 to any seniors housing consisting of self-contained dwellings.	Part 2 applies to the proposed development.
15 Living Room and Dining Room	
(1) A living room in a self-contained dwelling must have: (a) A circulation space in accordance with Clause 4.7.1 of AS 4299. (b) A telephone adjacent to a general power outlet. (2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.	Can comply. The living room of all the units has complying circulation space designed to comply with AS 4299. Refer unit plans at Appendix B .
16 Kitchen	
A kitchen in a self-contained dwelling must have: (a) A circulation space in accordance with clause 4.5.2 of AS 4299. (b) A circulation space at door approaches that complies with AS 1428.1. (c) The following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299: (i) Benches that include at least one work surface at least 800 millimetres in length that comply with Clause 4.5.5 (a). (ii) A tap set (see Clause 4.5.6).	Can comply. The kitchen of all the units has complying circulation space designed to comply with AS 4299 and AS 1428.1. Refer unit plans at Appendix B .

CLAUSE AND PROVISION	COMMENT
(iii) Cooktops (see Clause 4.5.7), except that an isolating switch must be included. (iv) An oven (see Clause 4.5.8). (d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards. (e) General power outlets: (i) At least one of which is a double general power outlet within 300mm of the front of a work surface. (ii) One of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.	
17 Access to Kitchen, Main Bedroom, Bathroom and Toilet	
In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level.	Not applicable. Proposed development is single story.
18 Lifts in Multi-storey Buildings	
In a multi-storey building containing separate self-contained dwellings on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.	Not applicable.
19 Laundry	
A self-contained dwelling must have a laundry that has: (a) A circulation space at door approaches that complies with AS 1428.1. (b) Provision for the installation of an automatic washing machine and a clothes dryer. (c) A clear space in front of appliances of at least 1,300mm. (d) A slip-resistant floor surface. (e) An accessible path of travel to any clothes line provided in relation to the dwelling.	Can comply. The laundry of all the units has complying circulation space designed to comply with AS 1428.1. Refer unit plans at Appendix B .

CLAUSE AND PROVISION	COMMENT
20 Storage for Linen	
A self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299.	Complies. The linen cupboard can comply with AS 4299. Refer unit plans at Appendix B .
21 Garbage	
A garbage storage area must be provided in an accessible location.	A garbage storage area is provided for the proposed development. This area has been incorporated into the landscape design. Access for bin movements has also been made available by use of a walkway to the bin collection location.

Table 8: Part 7: Development Standards that cannot be used as grounds to refuse consent – Division 1 – General

CLAUSE AND PROVISION	COMMENT
Clause 46: Inter-relationship of Part with Design Principles in Part 3	
(1) Nothing in this Part permits the granting of consent to a development application made pursuant to this Chapter if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard has been given to the principles set out in Division 2 of Part 3. Note: It is considered possible to achieve good design and achieve density ratios set out in Division 2. Good design is critical to meriting these density ratios.	This statement has discussed how the proposed development has given adequate regard to the principles set out in Division 2 of Part 3.
Clause 47: Part does not Apply to Certain Development Applications Relating to Heritage Affected Land	
Nothing in this Part applies in relation to the granting of consent to a development application made pursuant to this Chapter for the carrying out of development on land to which an interim heritage order or listing on the State Heritage Register under the Heritage Act 1977 applies.	Not applicable. An AHIMS search was undertaken on 21-06-2018. No items of Aboriginal heritage are located on the site (Appendix L). A search was also undertaken of the NSW Heritage Database on 21-01-2018, no State significant items were found within 50 metres of the site.

Table 9: Part 7: Development Standards that cannot be used as grounds to refuse consent – Division 4 – Self-Contained Dwellings

CLAUSE AND PROVISION	COMMENT
Clause 50: Standards that Cannot be Used to Refuse Development Consent for Self-contained Dwellings	
A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a self-contained dwelling (including in-fill self-care housing and serviced self-care housing) on any of the following grounds: (a) Building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys).	All proposed buildings on the subject site will be less than 8 metres in height.
(b) Density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less.	The floor space ratio of a majority of the proposed units and structures will not comply with this clause. Nonetheless, the Port Stephens Local Environmental Plan does not adopt controls relating to FSR levels.
(c) Landscaped area: if: (i) In the case of a development application made by a social housing provider—a minimum 35 square metres of landscaped area per dwelling is provided.	Not Applicable.
(ii) In any other case—a minimum of 30% of the area of the site is to be landscaped.	Complies, more than 30% of the site is landscaped. Refer landscape plans at Appendix E.
(d) Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres.	The subject site contains a variety of deep soil zones (Appendix E). In the open space areas, there are multiple deep soil zones for trees and shrubs. In private space areas, there are deep soil zones providing for a variety of shrubs to be planted. As such, the proposed development complies with this provision.

CLAUSE AND PROVISION	COMMENT
(e) Solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.	A sun study has been completed as part of the Architectural plans indicating sunlight for both Summer and Winter Solstice for the proposed development (Appendix A).
(f) Private open space for in-fill self-care housing:	Complies.
(i) In the case of a single storey dwelling or a dwelling that is located, wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor.	Complies, each unit is provided with a minimum of 15 square metre private open space area not less than 3m wide. Refer to unit plans attached at Appendix B .
(ii) In the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area. Note: The open space needs to be accessible only by a continuous accessible path of travel (within the meaning of AS 1428.1) if the dwelling itself is an accessible one. See Division 4 of Part 4.	Not Applicable
(g) (Repealed).	Not Applicable.
(h) Parking: if at least the following is provided:	Not Applicable.
(i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider.	
(ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider. Note: The provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.	Not applicable – the proposed development is not made under a social housing provider. Nonetheless, each unit will proposed a minimum of 1 private car parking space with room for stacked parking (see attached unit plans). In addition, visitor parking is provided (9 spots) in proximity to the community centre.

5.4 PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2013

In this instance, the proposal is being assessed under the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. The SEPP states 'If this Policy is inconsistent with any other environmental planning instrument, made before or after this Policy, this Policy prevails to the extent of the inconsistency'.

It is not considered that there are inconsistencies that are relevant to the proposed development between the SEPP and LEP.

5.4.1 Zoning and Permissibility

The site is split into three zones under the Port Stephens LEP 2013. The central portion of the site is zoned for E2 – Environmental Conservation which will remain unaffected by this Development Application. The proposed development will be located within the subject site's zoning of R2 – Low Density Residential. The final land zone under the subject lot is R5 – Large Lot Residential – also to be unaffected by this development.

Under the Port Stephens LEP 2013, Seniors Housing is permissible with consent under the R2 – Low Density Residential Land Zone which is controlled by the following objectives:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To protect and enhance the existing residential amenity and character of the area.
- To ensure that development is carried out in a way that is compatible with the flood risk of the area.

It is considered that the proposed development will provide alternative housing needs for certain demographics within a low density residential environment in the form of seniors living.

The proposed development will also include ancillary development associated with the seniors housing proposal that will give future residents other land uses (community and recreation uses) that will benefit the day to day needs of the residents.

The development has been designed to enhance the future residential amenity and character of the Bower Estate area.

5.4.2 Clause 4.1 Minimum Lot Size

This development application is not proposing subdivision of land.

5.4.3 Clause 4.3 Height of Buildings

The site has a minimum lot size of 9m (J) under the PLEP 2013. No works are proposed above the maximum height limit of this area.

5.4.4 **Clause 5.10 Heritage Conservation**

The site does not contain any heritage items and is not located within a heritage conservation area.

5.4.5 **Clause 7.1 Acid Sulfate Soils**

The site is identified as Class 5 acid sulphate soils on the Acid Sulphate Soils Map. As no relevant works identified in Clause 7.1 of the LEP are proposed as part of this application, an acid sulphate soils management plan is not required.

5.4.6 **Clause 7.2 Earthworks**

Preliminary geotechnical assessment was previously carried out for the broader subdivision area by Qualtest (Ref. NEW15P-0033-AA, dated 25 May 2015). Review of a previous Preliminary Geotechnical Assessment Report (Douglas Partners Report Ref: Project No. 39519.01, 3 September 2009) was carried out as part of the preliminary geotechnical assessment by Qualtest. The sub-surface profiles encountered during previous investigations at the site are judged to be in general agreement with the results of the current investigation. The site is considered suitable for the proposed development from a geotechnical viewpoint provided that development is carried out in accordance with sound engineering principles and good hillside practice, and with respect to the constraints and recommendations of the attached Geotechnical Report (**Appendix I**).

5.5 **DEVELOPMENT CONTROL PLANS**

Port Stephens Development Control Plan 2014

The following sections of the Port Stephens Development Control Plan (the DCP) are considered relevant to the proposed development. Planning comment on the applicable objectives and requirements are listed below under the relevant headings.

Section A – Introduction		
Development Notification		This development may require notification to adjoining landowners.
Section B – General Provisions		
Tree Management		The supporting Ecology Report (Appendix H) advises the proposal will require the removal of the site's occasional canopy trees. No hollow-bearing trees will be removed. One Koala feed tree will be removed. This tree has a DBH of just under 30cm and in accordance with the tree replacement requirements in Technical Specifications Tree (PSC, 2014), eight <i>E. tereticornis</i> (Forest Red Gum) replacement trees will be required.
Natural Resources	Koala Habitat	The proposed development footprint occurs within land previously mapped by RPS (2015), as containing 'Derived Grassland with Scattered Canopy Trees'.

Section B – General Provisions		
		RPS (2015) also concluded that the proposed development footprint would not be considered Preferred Koala Habitat, due to the lack of feed trees. The attached Ecology Report (Appendix H) determines has considered it highly unlikely that Koala habitat would be currently present in the site, and even less likely as the project works progress to the later stages of the residential development.
	Noxious weeds	It is not anticipated that noxious weeds will exist on site – however, we ask Council to condition necessary actions to manage these potential weeds if identified.
Environmental Management	Acid Sulfate Soils	The site is identified to be located on Acid Sulfate Soils – Class 5. However, due to the nature of the development and extent of works. No earthworks will be conducted that will lower the water table below 1 metre AHD.
	Contaminated Land	It is not anticipated that the site is on contaminated land
	Air Pollution	The development will not produce air pollution.
	Offensive Noise	The development after construction will not produce offensive noise on a daily basis. Standard conditions will be in place for the management of construction related noise during the construction period.
	Earthworks	Earthworks are expected for this development. Due to the topography of the site, the preconstruction erosion and sediment controls will be limited to stabilised site access, sediment fence and a temporary sediment basin until the initial bulk earthworks is undertaken. Further details are provided in the attached Civil Engineering Design Report (Appendix M).
	Waste	During construction, relevant waste management practices will be conducted to ensure minimal waste production is generated during construction. We would ask Council to condition this to ensure follow through.
Drainage and Water Quality	This civil engineering design report addresses the civil design, stormwater quantity and quality of the proposed Seniors Living development at The Bower, Medowie, along with its impacts on the current approved development application for the wider Bower development. Concept civil design, site grading and site access details have been provided in the report.	

Section B – General Provisions	
	Stormwater quantity and stormwater quality (both operational and construction phases) have also been addressed in the appropriate documentation (Appendix M).
Flooding	The site is not located on a Flood Planning Area.
Essential Services	The development will be provided with the essential services necessary for residential living on a rural property. The site will have access to electricity and reticulated water.
Williamstown RAAF Base - Aircraft Noise and Safety	The site is not identified to be under the ANEF boundary.
Heritage	The site is not identified to have any historic or heritage value as per the Port Stephens LEP Heritage Map. Further, the attached AHIMS certificate indicates no presence of Aboriginal items (Appendix L).
Road Network and Parking	Proposed units will have the capacity to hold 1-2 private vehicles with the option of off-street stacked parking. The proposed development has the capacity to provide nine (9) visitor parking spots (including 2 disabled parking spots). Public transport services in the Medowie area are provided through Comfort Delgro Cabcharge (CDC) operating as Hunter Valley Buses. Bus Route 136 link Medowie from Raymond Terrace to Stockton via Fern Bay and the Newcastle Airport whilst Route 137 connects to Raymond Terrace and Lemon Tree Passage. In this area Route 136 uses Federation Drive, and Medowie Road south of Federation Drive. This service is located over 500m walk from the proposed rezoned land along Medowie Road. Notwithstanding, refer to Table 2(2) for further consideration on the feasibility of the proposed transport accessibility considerations. The attached Traffic Impact Report (Appendix G) has concluded that the proposed development can co-exist with the demands estimated for the intersection access road into the Bower Estate. Council's Medowie Traffic and Transport Study forecast future flows on Medowie Road in the vicinity of the subject site at a peak of around 600 vph two way (and this includes the subject site traffic flows). This is well within the capacity of the existing road.
Social Impact	The proposed development is not identified to be specifically listed as a development with the potential to have a <i>significant social impact</i> under the DCP (unless deemed so by Council). Notwithstanding, there are a number of State (<i>NSW Ageing Strategy 2013</i>) and Commonwealth (<i>National Strategy for an Ageing Australia</i>) reports/strategies that support increasing housing choice for older Australians, particularly around ageing in place. The social impacts associated with this development are minimal but have positive impacts for affordable housing choices for an ageing population that wish to down-size to manageable dwellings in connection with similar aged populations.

Section C – Development Types

C5 – Multi-Dwelling Housing or Seniors Housing

Landscaping	Landscape Coverage	The subject site contains a variety of deep soil zones (Appendix E). In the open space areas, there are multiple deep soil zones for trees and shrubs. In private space areas, there are deep soil zones providing for a variety of shrubs to be planted. As such, the proposed development complies with this provision.
	Landscape Dimensions	Proposed landscaping complies with this section of the DCP.
	Landscape Qualities	Proposed landscaping complies with this section of the DCP.
Height	Building Height	Each of the structural components of the proposed seniors housing will be below the maximum height of building line of 9m (Appendix A).
	Floor to Ceiling Height	Each of the structural components of the proposed seniors housing will have a floor to ceiling height minimum of 2.4m (Appendix A).
Setbacks	Front Setback	The proposed development will have a consistent, uniform setback. As there are no pre-existing buildings on the site, the development will create its own average building line. The average front setback is proposed to be approximately 5m to the front boundary line.
	Secondary Setback (Corner Lots)	The proposed development will have a consistent, uniform setback. As there are no pre-existing buildings on the site, the development will create its own average building line.
	Side Setbacks	The proposed development will have a consistent, uniform setback. As there are no pre-existing buildings on the site, the development will create its own average building line.
	Rear Setbacks	Proposed rear setback of proposed habitual units will comply with this section of the DCP.

Section C – Development Types		
	Driveway Setback	Each of the proposed units will have appropriate space for landscaping potential between driveway space.
Natural Ventilation	Natural Ventilation	Proposed units have been designed to ensure adequate ventilation is possible.
Streetscape and Privacy	The proposed development will protect and enhance the future residential amenity and character of the area by responding to the rhythm of development in the area, with the proposed materials to be low-maintenance and durable, and suitably articulated to provide visual relief and interest. The units have generous setbacks and allow for appropriate building separation providing solar access to and minimise overshadowing as far as practical. The orientation and internal road/pathway layout provides opportunities for landscaped areas that include deep soil around the perimeter area and centrally increasing streetscape amenity.	
Noise	The proposed seniors development is not anticipated to be a site that will produce excessive levels of noise on a daily basis. Notwithstanding, unit design has considered potential noise sources and have been designed accordingly. Unit positioning from other units have also considered this and have centred noise producing areas (garages / driveways) away from habitual rooms.	
Car Parking and Garages	Driveway Width and Access	Proposed driveway width associated with unit dwellings will be approximately 3.7m wide.
Private Open Space	Private Open Space Dimensions for Seniors Housing	Each of the proposed 2 - 3 bedroom units will have P.O.S that exceeds the recommended private open space for senior housing development under this chapter (Appendix A).
Solar Access	Each residential unit will be single story in character and size which will prevent larger overshadowing to adjoining dwellings. The attached shadow diagrams indicate ample natural sunlight can penetrate into each and every senior's residential unit, including private open space. In addition, the community building will be at a size and design that will ensure natural sunlight can be achieved throughout the day.	
Site Services and Facilities	Each unit will incorporate space and area for the basic services listed under the DCP (mail box, storage and clothes drying). Community site facilities will allow space for waste storage and site facilities and services (gas, water and electricity).	
Additional Requirements for Seniors Housing	Communal Open Space	The proposed development is consistent with this section of the DCP.

Section C – Development Types		
		The communal open space is represent as the space around the proposed community centre (refer to landscape plans detail on the community facility for a better appreciation).
	Community Facilities	The proposed community facility complies with this section of the DCP.

Section D – Specific Areas	
D9 – North Medowie – Medowie	The site is located within the North Medowie Specific Area – where relevant assessment against the listed items will be presented.
Transport Movement	The attached Traffic Impact Report (Appendix G) has concluded that the proposed development can co-exist with the demands estimated for the intersection access road into the Bower Estate. In addition, proposed road layout has been designed to ensure simple and safe movement systems for private vehicle use. The proposed road layout has been designed to ensure public (bus) transport can enter and exit the site in an efficient and safe manner via the circulating road network that extends to the community building.
Landscaping	Early sections of this report have highlighted the proposed landscape plan of this development (refer to Appendix E).
Stormwater and Water Quality Management	This civil engineering design report addresses the civil design, stormwater quantity and quality of the proposed Seniors Living development at The Bower, Medowie, along with its impacts on the current approved development application for the wider Bower development. Concept civil design, site grading and site access details have been provided in the report. Stormwater quantity and stormwater quality (both operational and construction phases) have also been addressed in the appropriate documentation (Appendix M).
Natural Hazards	An APZ of 60m is required between the Open Forest to the west of the site and the proposed development. This 60m setback is comprised of residential allotments and Western Road that will be managed as an IPA until future development occurs. All dwellings can comply with Planning for Bushfire Protection should the follow the recommendations of the attached bushfire report.

Section D – Specific Areas	
	An Emergency Response and Evacuation Plan is to be prepared for the site. This plan is to be consistent with the RFS document “A Guide to Developing Bushfire Evacuation Plan” (2004). Refer to Appendix I for further details on the bushfire impacts and mitigation measures for this development.
Williamtown RAAF Base – Aircraft Noise and Safety	The proposed development complies with the controls and requirements of Past B7 <i>Williamtown RAAF Base – Aircraft Noise and Safety</i> of the DCP.

6. THE LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the proposed development are considered and discussed below. Monteath and Powys have undertaken an assessment of the proposal against potential environmental impacts, site suitability and the public interest in accordance with Section 4.55 of the *EP&A Act*. The potential environmental impacts and their mitigation measures are discussed below.

6.1 UTILITIES

The proposed development will be connected to mains water, gas and sewer, as well as telecommunications. Furthermore, the development will comply with water efficiency requirements of BASIX (**Appendix C**)

A report including electrical, mechanical, fire, hydraulics, civil and sustainability services will be prepared detailing the installation of new and augmentation/upgrade of existing utilities as required.

Water and sewer utility provisions are likely capable of complying with the relevant standards and controls. Power, based on initial advice indicates, the existing network has sufficient capacity to provide power to the new development.

Telecommunications to the subject site includes the option of connecting to the NBN network via Fibre to the node (FTTN).

The provision of fire hydrants and fire extinguishers will be detailed during the design and construction phase and confirmation with NSW Fire and Rescue.

All servicing requirements will be obtained from the relevant service provider prior to issue of the construction certificate.

6.2 PUBLIC DOMAIN

The proposed development is consistent with the character of the area and positively contributes to the identity of the locality.

The proposal is an architecturally designed built form with high quality materials and finishes. In this regard, the development provides aesthetic stimulation to the area and enhances the character. The proposal is considered to create interest within the locality. The proposed design is considered to be an appropriate form that is sympathetic and compatible with the emerging character in this area.

The buildings have been positioned away from the adjoining buildings to maximise sunlight penetration to the units and minimise adverse impact on the adjoining properties. The materials, finishes and colours are of a high quality and are complimentary to the surrounding area. The proposal is well articulated to provide visual interest and to minimise any adverse impact upon bulk and scale. Contemporary designs features have been utilised in the development.

6.3 WASTE

During the construction phase, effluent from the amenities for which the contractor is responsible shall be discharged into the local sewer system, where available. Otherwise, a portable self-contained toilet of suitable capacity will be used subject to acceptable arrangement for disposal of the effluent.

Littering or dumping of unwanted waste or disposal of surplus construction materials including bitumen, asphalt or concrete on any land around the site is not permitted. Appropriate receptacles will be provided for depositing litter and other waste materials, and their contents disposed of off-site to a suitable waste disposal station on a regular basis. The disposal of chemical, fuel and lubricant containers, solid and liquid wastes shall be in accordance with the requirements of the Principal or the EPA.

Recycle and divert from landfill surplus soil, rock and other excavated or demolition materials, wherever this is practical. Also separately collect and stream quantities of waste concrete, bricks, blocks, timber, metals, plasterboard, paper and packaging, glass and plastics and offer them for recycling where practical. All wastes to be contained on site within an area of 3.0m x 3.0m.

Estimated waste management measures have been prepared to understand the details regarding site waste generated during the construction phase of the development. Waste storage will be provided to meet the predicted requirements of the development calculated in accordance with Council policy.

CONSTRUCTION STAGE – EXCESS MATERIAL		
Type of Material	On-site	Off-site
Green Waste	Mulched and re-used where possible	To landscape suppliers (if required)
Excavation Material	Stored and re-used where possible	To approved landfill
Concrete	Stored and re-used where possible	To approved landfill
Timber	Mulched / crushed and re-used where possible	To approved landfill
Metals	-	To approved landfill
Asbestos (if any)	Treated and wrapped (if any)	To approved refuse facility

As such, no adverse impacts are anticipated as a result of waste storage and collection from the site. Ongoing waste management will be by a private contractor.

6.4 STORMWATER AND DRAINAGE

Due to the anticipated highly-urbanised environment, the proposed development will ensure it mitigates the effects of any stormwater on adjoining or downstream sites in accordance with Council's Guidelines. Conditions can be imposed to ensure that the proposal complies with relevant standards.

A Stormwater Management Plan has been prepared by ACOR Consultants. The development takes into consideration the recommendations so as to mitigate risks to life and / or property through design and positioning of development.

As part of this report a stormwater management plan has been prepared to provide a more detailed report and address any drainage and stormwater issues. This report is attached at **Appendix M**.

6.5 NOISE AND VIBRATION

Noise levels arising from the dwellings are likely to be consistent with the future residential area and have minimal, if any, impact on neighbouring uses.

Noise levels arising from the proposal will initially be noise impacts from construction. These will be short term and will be managed in accordance with OEH requirements.

The internal amenity of the proposed development has been assessed with regard to the criteria for dwellings specified in the Development Control Plan and the Australian Standard. The predominant noise source surrounding the site includes traffic movement on surrounding roadways including and mechanical plants associated with dwellings and community facilities.

6.6 SAFETY AND SECURITY

This section provides an assessment against the principles of CPTED. These principles aim to reduce crime by using design and place management concepts to decrease the likelihood that the constituents of crime events (victim, offender, opportunity) come together in space and time. More specifically, CPTED aims to:

- Increase the perception of risk to criminals by increasing the possibility of detection, challenge and capture.
- Increase the effort required to commit crime by increasing the time, energy or resources that need to be expended.
- Reduce the potential rewards of crime by minimising, removing or concealing “crime benefits”.
- Remove the conditions that create confusion about required norms of behaviour.

CPTED PRINCIPLES

Surveillance:

The development offers ample opportunities for passive surveillance. The units predominately face out or to the central communal open space area. The main access points are carefully designed and positioned to avoid opportunities for non-residents to shelter or congregate in these areas. Furthermore, the units within will create further passive surveillance.

Access Control:

The main residential entries will be readily accessible by future residents and the entries will be clearly defined and easily distinguishable.

Territorial Enforcement:

The building and landscaping design encourages a close relationship between future residents and the public domain. The landscaping and access points will act as a physical barrier which will clearly define each space.

Space Management:

The proposal has no features that would hinder the application of appropriate space management measures, such as site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian lighting and the removal or refurbishment of decayed physical elements.

SITE SPECIFIC RECOMMENDATIONS

To address the CPTED principles a number of site specific recommendations have been provided:

Surveillance:

- Lighting should be provided at all entry points, and pedestrian walkways. This lighting can be automatically controlled by time clocks and/or sensors where appropriate.
- Lighting should be provided in accordance with the relevant Australian Standards.
- Lighting fixtures should be 'vandal proof' where possible.

Access Control:

- Parking spaces should be clearly identified and remain available at all times.
- Ensure the residential entry is provided with an architectural treatment/materials/colours to make them readily identifiable.
- Unit numbers should be clearly identified.
- All areas should be fitted with doors that comply with Australian Design Standards.

Territorial Enforcement:

- Unit numbers should be clearly identified.

Space Management:

- Any burnt out lighting should be replaced quickly.
- General cleaning and rubbish collection should be undertaken regularly.
- Graffiti should be removed as soon as possible.

7. SITE SUITABILITY

This Statement of Environmental Effects has determined that the site is suitable for the proposed development. The SoEE has demonstrated in detail that the site is suitable for the proposed development. In summary, suitability is achieved given:

- The proposed development is permissible and will be consistent with the relevant objectives.
- The proposed develop complies with the SEPP (Housing for Seniors or people with a Disability) 2004 and is consistent with the guidelines of the Seniors Living Policy 2004.
- The development is of high quality and will set an example for regeneration of the locality, as anticipated in Council's controls. The development will therefore have a positive environmental impact.
- The Site is ideally located to an expending community that will continue to grow with a range of public and private services and transport options.
- The development will respect the existing and desired future character of the immediate and surrounding locality.
- There are no prohibitive constraints posed by the site or those adjacent.

8. PUBLIC INTEREST

The public interest is best served by promoting sustainable development that is rational, orderly and economic. The proposed development will generate positive social, environmental and economic benefits.

9. CONSULTATIONS

The proposal will be notified by council in accordance with the requirements of Council's DCP, providing opportunity for the public to comment on the development. Following public exhibition and notification of the development application, all reasonable concerns raised in any submission will be considered.

It has also been identified that the proponent for the development has notified existing and future residents adjoining the proposed location of development.

10. CONCLUSION

This Statement of Environmental Effects has been prepared to accompany a development application for the construction of a 110 unit senior's housing development, ancillary services and facilities including community building, bowling green, pool/gym facility, men's shed, garden shed, caravan wash/ loading area and associated waste holding area at 115 Boundary Road, Medowie.

The proposal seeks consent for an architecturally designed development that is consistent with the provisions under the *State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004* and adequately responds to the communities need for diversity in housing and seniors housing.

The design of the proposed development has been primarily guided by the surrounding environment and character and the need for appropriate built form and high quality.

The proposal has been well considered and will result in well-designed additional seniors housing. It also maintains a high standard of amenity for existing residents and overall results in minimal environmental or social impacts with the impacts identified being able to be mitigated.

The proposal therefore achieves SEPP and Council's objectives for the site and the wider Port Stephens area. It is therefore submitted that Council approve the proposal.

APPENDIX A Architectural Plans

APPENDIX B Seniors Dwelling Unit Plans

APPENDIX C BASIX Certificate

APPENDIX D Ancillary Building Plans

APPENDIX E Landscape Plans

APPENDIX F Accessibility Report

APPENDIX G Traffic Impact Report

APPENDIX H Ecology Report

APPENDIX I Bushfire Threat Assessment

APPENDIX J Preliminary Geotechnical Assessment

APPENDIX K Contamination Assessment

APPENDIX L AHIMS Search

APPENDIX M Civil Engineering Design Report

APPENDIX N Hunter Water Stamped Plans

APPENDIX O Cost Summary Report