

# SOLITARY ISLANDS RETREAT



## Volume 1 - Main Report

### Statement of Environmental Effects

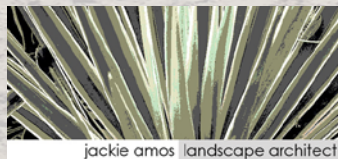
Seniors Living Development , Darkum Road, Mullaway

Lot 1 DP 1128964

Prepared by GHD Pty Ltd

Prepared for John Hannaford

August 2011



mcfadyenarchitects pty limited



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B	Development Plans
C	Landscape Plans
D	Aborist Report
E	Biobanking Assessment
F	Ryan Bus Services Letter
G	Ryan Bus Service Timetable
H	Bushfire Hazard Assessment
I	Traffic Impact Assessment



## CONSULTANTS

This Development Application (DA) was produced by GHD Pty Ltd on behalf of John Hannaford in consultation with the Coffs Harbour City Council, the Department of Planning and Infrastructure and relevant State agencies.

The following consultants were involved in the development of the proposal, DA and specialist studies.

Statutory Planning	GHD Pty Ltd
Architecture/Master Planning	McFadyen Architects Pty Ltd
Landscaping	Jackie Amos
Ecology	Idyll Spaces Environment Consultants Kendall and Kendall Ecological Services Benchmark Environmental Management
BioBanking	GHD Pty Ltd
Bushfire	GHD Pty Ltd
Aborist	Arboreal Solutions
Traffic	GHD Pty Ltd
Stormwater and Water Quality	GHD Pty Ltd



## Executive Summary

GHD Pty Ltd (GHD) has been engaged by John Hannaford to prepare and lodge a development application (DA) for a senior's living development at Lot 1 DP 1128964, Darkum Road, Mullaway. The proposal is referred to as the Solitary Islands Retreat.

The proposal would involve the construction of:

- ▶ **34 single storey dwellings, consisting of 26 x 2 bedroom dwellings and 8 x 3 bedroom dwellings for seniors or people with a disability;**
- ▶ **34 garages, 12 visitor car parking spaces and one emergency vehicle space;**
- ▶ **central administration and care facility of single storey construction; and**
- ▶ **maintenance/ garbage recycling shed of single storey construction;**
- ▶ **daybeds/ seating and associated landscaping.**

Seniors housing is permitted on the subject site with consent pursuant to a Site Compatibility Certificate issued in accordance with the provisions of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP Seniors).

This DA provides an overview of the site and its context, opportunities and constraints and an assessment of potential environmental impacts. It provides a description of the proposal and addresses the principal development issues and statutory planning controls applicable to the DA.

The DA has revealed:

- ▶ that the potential environmental impacts resulting from the proposal will not have any significant adverse impact on the environment, subject to implementation of mitigation measures to be implemented in the design of the development;
- ▶ the proposal will not have any effect on matters of national significance and approval of the activity under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required;
- ▶ the proposal will satisfy the location and access requirements and other relevant provisions for seniors housing comprising self-contained dwellings in accordance with the SEPP Seniors;
- ▶ the proposal has adequately taken into account the design requirements specified in the SEPP Seniors and the relevant design principles and better practices set out in the Seniors Living Policy: Urban design guidelines for infill development specified in the SEPP Seniors;
- ▶ the site planning and design of the proposal adequately addresses the relevant development controls specified in the *Coffs Harbour City Local Environmental Plan 2000* and most of the controls in Coffs Harbour City Council Development Control Plans; and
- ▶ The proposal is identified as integrated development pursuant to Section 91 of the Act as it is within a bushfire hazard area.

This DA must be read in conjunction with the development plans and technical appendices accompanying this report. The appendices provide background and further detail for this proposal.



## Vision

The development of the subject site presents an opportunity to create an iconic development which achieves a sense of being for a community in its own right, whilst also operating as part of the wider Mullaway community within which it sits. Independent seniors living facilities are in short supply throughout the Mid North Coast. Many of the existing facilities have been in operation for a long time and do not provide the contemporary accommodation and services required to meet the growing expectations of potential clients.

Therefore the vision for the site is:

***To create a community in a setting of high quality accommodation options whose current accommodation is no longer suitable for their needs. A coastal community set in the unique village of Mullaway where ecological values are fundamental and its character is integrated into the surrounding landscape. A community where residents experience pride of place and a sense of ownership and purpose, where activity is encouraged and peace and privacy is respected.***





## 1. Introduction

GHD Pty Ltd (GHD) has been engaged by John Hannaford to prepare a development application (DA) for a proposed seniors living development at Lot 1 DP 1128964, Mullaway Drive, Mullaway that consists of:

- ▶ **34 single storey dwellings, consisting of 26 x 2 bedroom dwellings and 8 x 3 bedroom dwellings for seniors or people with a disability;**
- ▶ **34 garages, 12 visitor car parking spaces and one emergency vehicle space;**
- ▶ **central administration and care facility of single storey construction; and**
- ▶ **maintenance/ garbage recycling shed of single storey construction;**
- ▶ **daybeds/ seating and associated landscaping.**

The proposal is in-fill self-care housing for seniors or people with a disability that may be carried out with consent under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP Seniors). The proposal is best characterised as a retirement village.

The DA has been submitted in accordance with Section 25 of the SEPP Seniors and the Site Compatibility Certificate (SCC) issued by the Department of Planning on 17 September 2009. A copy of the SCC is provided in Appendix A. The proposal is also considered 'integrated development' pursuant to Section 91 of the Act as it within a bushfire hazard area.

The DA provides:

- ▶ A description of the subject site;

- ▶ A description of the characteristics of the surrounding locality;
- ▶ Details of the development proposed by this application; and
- ▶ An assessment of the proposal against section 79C(1) of the Environmental Planning and Assessment Act 1979 ('the Act') as well as relevant codes, policies and planning instruments.

The DA seeks Coffs Harbour City Council's (CHCC's) approval for the proposal and should be read in conjunction with the DA form, plans and accompanying reports.

### 1.1 Structure of Report

This report has been prepared as two separate volumes.

- ▶ Volume 1 – Main Report

Statement of Environmental Effects

- ▶ Volume 2 - Appendices
  - A Site Compatibility Certificate
  - B Development Plans
  - C Landscape Plans
  - D Aborist Report
  - E Biobanking Assessment
  - F Ryan Bus Services Letter
  - G Ryan Bus Service Timetable
  - H Bushfire Hazard Assessment
  - I Traffic Impact Assessment

## 2. Background

### 2.1 Site Compatibility Statement

The DA has been submitted in accordance with Section 25 of the SEPP Seniors and the Site Compatibility Certificate (SCC) issued by the Department of Planning on 17 September 2009. A copy of the SCC is provided in Appendix A. The SCC will expire on 17 September 2011. The Department of Planning and Infrastructure's Jim Clark has advised that should Council not determine the DA within this time that a new SCC application would need to be lodged but approval would be granted given that the application would essentially be for an extension of time. A subsequent application has since been lodged with the Department to facilitate this extension of time. A copy of the approval will be forwarded in due course.

### 2.2 Project Justification

The site planning process included a site analysis that determined opportunities and constraints for development of the land for seniors living purposes in accordance with local planning controls and the SEPP Seniors. This analysis considered:

- ▶ the existing zoning and relevant planning controls;
- ▶ the results of the detailed environmental studies and specialist reports;
- ▶ the design of the development in accordance with the opportunities and constraints of the land;
- ▶ the management of stormwater and water quality controls;
- ▶ the capacity of infrastructure in the area; and
- ▶ existing road network and access.

The resultant development proposal is consistent with the findings of

this site analysis and is consistent with the planning controls that apply to the site.

### 2.3 Development History

CHCC granted development consent for 10 eco-tourism holiday cabins on part of the subject site on 12 February 1998 (Development Application No. 93/97). A copy of the approved plan is shown in Figure 1. The approved cabins are situated to the west of the proposal on land formerly known as Lot 2, DP 709465. The DA was approved with 14 conditions.

Each cabin was designed with two bedrooms, with one two way bathroom, a kitchen and a combined living /dining area. The development also consisted of a swimming pool, general recreation area, tennis court and children's play area.

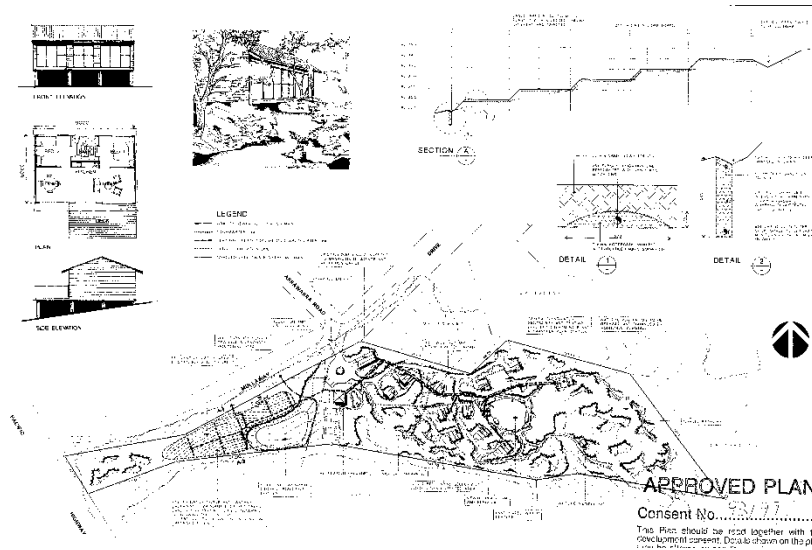
The approved development retains the majority of the vegetation on the site with only some selective clearing.

The application was approved with an on-site effluent disposal system for all 10 cabins.

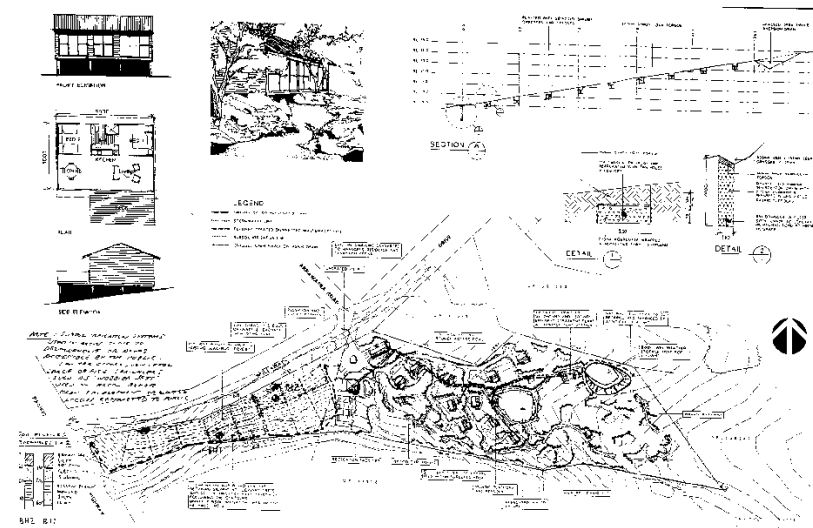
A fire protection zone of 20 m wide immediately east of the proposed holiday cabins was included in the schedules of conditions for the approved cabins.



**Figure 1 DA No 93/97 Approved Plans for Eco Tourist Holiday Cabins (10 Cabins)**



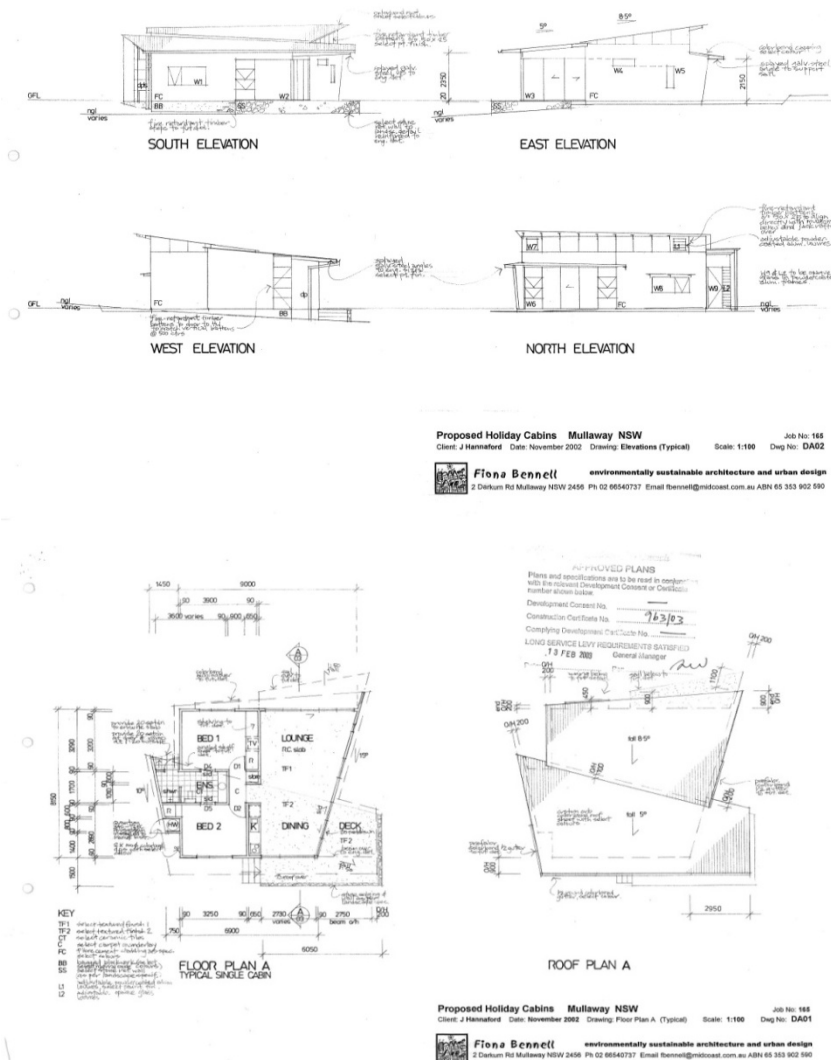
**Figure 2 DA No. 49/98 Approved Plans for Eco Tourist Holiday Cabins (5 Additional Cabins)**



A further DA (Development Application No. 149/98) was approved for an additional 5 cabins on the site in June 1998. A copy of the approved plan is shown in Figure 2.

A subsequent construction certificate (CC) application was submitted for the 15 proposed holiday cabins. At the time it was decided to modify the design of the cabins to reflect the coastal environment at Mullaway and provide a more contemporary appearance. The CC was subsequently approved on 12 February 2003. A copy of the approved plans illustrating the modified design of the holiday cabins is shown in Figure 3.

**Figure 3 CC No. 963/03 Approved Plans for Modified Eco Tourist Holiday Cabins**



## 2.4 Relationship with Existing Development

The proposal further promotes the State Government Policy of "ageing in place". It is intended to operate in conjunction with the proposed holiday cabins where friends and family can stay whilst visiting residents of the Solitary Island Retreat.

In addition, a restaurant is proposed on the site (as a separate Development Application) which will further enhance the facilities provided for the residents of the facility. The restaurant is proposed to be located on the western boundary of the site.

## 2.5 Pre Lodgement Meeting

GHD and the applicant met with CHCC officers on 1 December 2009 and on 21 July 2011 for a pre-lodgement meeting for this DA. A separate pre-lodgement meeting was held for the proposed restaurant.

Issues raised by Council officers during these meetings included ecology and vegetation removal, traffic generation, servicing, design, site context, bushfire, noise and privacy. These issues have been considered by the consultant team and design changes have been incorporated into the development where appropriate to address Council's concerns.



### 3. Site Context

#### 3.1 Local Context

The subject site is legally described as Lot 1 DP 1128964, Darkum Road, Mullaway. The subject site is located within the Coffs Harbour City Local Government Area within the existing coastal village of Mullaway. It is located approximately 30.2 kms north of Coffs Harbour, and 5 kms north of Woolgoolga (see Figure 4). The site is bound by residential development to the north, Darkum Road, residential and tourist development and environmental protection land to the east, fragmented rural properties to the south, and fragmented rural properties and the Pacific Highway to the west (see Figure 5). There are no easements, covenants or encumbrances that would restrict the development of the site.

**Figure 4 Regional Location of Subject Site**



**Figure 5 Location of subject site within the village of Mullaway**



### 3.2 Site Context

Lot 1 DP 1128964 encompasses an area of approximately 9.855 hectares and is irregular in shape. It has a 190 metre frontage to Darkum Road and a frontage to Mullaway Drive of over 300 metres.

The subject site straddles a low ridge. The western portion of the site slopes to the south west whilst the eastern portion generally slopes in a south-easterly direction towards Darkum Road.

The eastern portion of the site within which the proposal would be located is vegetated with native vegetation including the endangered ecological community (EEC) known as Sub-tropical Coastal Floodplain Forest (STCFF) of the New South Wales North Coast Bioregion listed under the NSW Threatened Species Conservation Act 1995 (TSC Act). This vegetation has also been classified as Secondary Koala Habitat by CHCC. The subject site has been substantially modified from its natural state by previous land use activities including cattle grazing, horses and bushfire.

Within the proposal footprint, no structures or development exists. A dwelling has been constructed in the western portion of the site with access to Mullaway Drive.

The site is currently serviced with reticulated water, sewerage, electricity and telephone services.

### 3.3 Present and previous use of the site

The site is currently vacant with the exception of an existing dwelling. Past uses of the land include cattle grazing and the keeping of horses.

### 3.4 Site and Surrounds

The site lies adjacent to an established urban area that is undergoing renewal. Directly bounding the site to the north and north east is

existing residential development. Bounding the site to the east is Darkum Road with residential development beyond and to the south is cleared rural land and dense vegetation. A general store is located 400 metres from the subject site. Figure 6 illustrates the site and surrounds.

### 3.5 Climate

The site is dominated by a sub-tropical climate characterised by warm wet summers and mild dry winters.

Rainfall can occur throughout the year, but varies across the region in relation to altitude and distance from the coast, with wetter areas being closer to the coast or at higher altitudes.

Temperature varies across the region, with areas of higher temperature occurring along the coast and areas of lower temperature in the elevated areas of the western part of the region.

### 3.6 Geology and Soils

The site is contained within the 'Brooms Head - Kempsey Coastal Ramp' Mitchell Landscape (DECC, 2008). This landscape includes hills and low ranges of the coastal fall on lower Devonian greywacke, slate phyllite and quartzite and Permian Phyllite and schistose sandstone at elevations of 50m to 450m with local relief of up to 300m (DECC, 2008). Soils consist of thin, stony gradational loam and sandy loam on the slopes grading to yellow-brown texture-contrast soils on lower slopes and in valleys (DECC, 2008).

CHCC Acid Sulfate Soils mapping indicates the site partially consists of Class 5 acid sulfate soils.

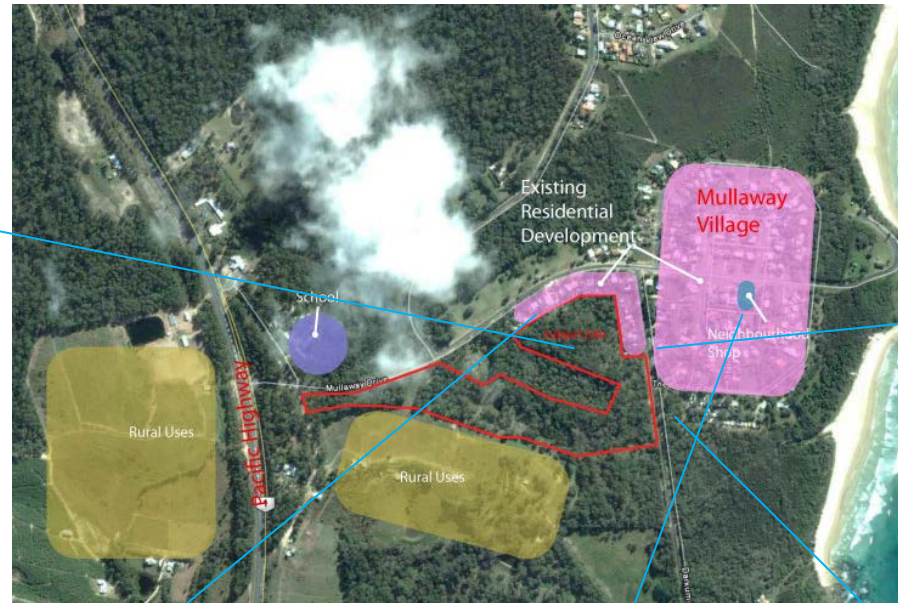
The site has not been identified as being contaminated or partially contaminated from previous or adjoining land use.



**Figure 6 Site and Surrounds**



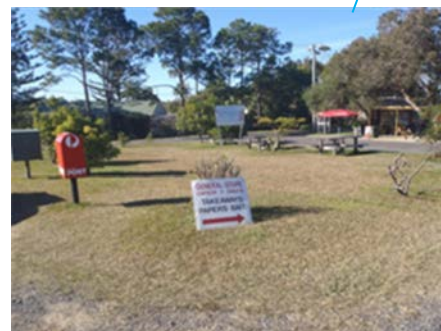
**Dense Vegetation**



**Darkum Road**



**Surrounding Residential Development**



**Neighbourhood Shop**



**Tourist Operations**

### 3.7 Hydrology and Drainage

The main drainage area associated with the site is that from the elevated ridge in the western portion of the site. A high point also exists in the northern portion of the site. Stormwater flows in a south-easterly direction from the northern boundary and then along the gully area towards Darkum Road to the east.

The site is free of the 1:100 year flood event.

### 3.8 Pedestrian, Vehicular Access and Utilities

Darkum Road and Mullaway Drive are residential streets under the care and control of CHCC. Any improvements or upgrades to the street will require approval from CHCC as the roads authority.

There are no obstructions to the lines of sight upon entering or exiting the site. As shown in Figure 7, a wide footpath runs along the northern side of Darkum Road which is in good condition and is a continuous sealed footpath. Pedestrians can access the site from this level concrete footpath. Both Darkum Road and Mullaway Drive are wide local roads, in good condition. Both streets incorporate two vehicles lanes and room for on-street car parking. Traffic is low along both roads. Currently there is no vehicular driveway from Darkum Road onto the site.

Figure 7 Current footpath along Darkum Road





## 4. Social Context

### 4.1 Mid North Coast Regional Strategy (MNCRS)

By 2031, the Mid North Coast population is expected to grow by more than 28% to around 424,400. The purpose of the Regional Strategy is to ensure that the Mid North Coast can continue to prosper over the next 25 years while protecting areas of high environmental, cultural and resource value.

The NSW Government's 25-year strategy for sustainable development ensures:

- ▶ a supply of new residential land can be provided in the right locations to respond to population increases and assisting with housing affordability. The Strategy caters for 59,600 new homes by 2031 for a forecast population increase of 94,000;
- ▶ a surplus of well-planned employment land is available to support an additional 48,500 jobs for new and existing residents;
- ▶ 'green breaks' are in place between urban areas, protecting areas of high scenic value along with rainforests, wetlands, estuaries and significant farmland;
- ▶ increased opportunities for medium-density housing in key centres to match the ageing of the Region's population; and
- ▶ new growth is linked to infrastructure provision, incorporating new regional infrastructure identified in the State Infrastructure Strategy.

The Strategy maps growth areas that are available for future urban development. These areas aim to reinforce the Region's settlement hierarchy while supporting scenic green breaks between coastal communities and protecting important assets and resources.

Coffs Harbour is identified as a regional centre within the MNCRS. The Mid North Coast's anticipated population growth of approximately 94,000 by 2031 will result in demand for a minimum of 19,200 new dwellings in the Coffs Coast subregion. The majority of new housing MNCRS was to be focused around Coffs Harbour.

The MNCRS does not have any direct implications for the redevelopment of this site, and the proposal does not raise any issues that conflict with the provisions of the MNCRS.

### 4.2 Demographic Characteristics

The population of Mullaway/ Arrawarra / Arrawarra Headland is 1600 and is comprised of 49.6% males and 50.4% females. The median/average age of the Mullaway population is 42 years of age, 5 years above the Australian average (ABS 2006). The estimated population of Mullaway/ Arrawarra / Arrawarra Headland in 2031 is 1800 persons (CHCC, 2004).

The country of birth of people living in Mullaway is 86.5% Australia, 3.6% England, 1.7% New Zealand, and 95.4% of people speak English as their first language. 45% of the people living in Mullaway are employed full time, while 33% are employed on a part time basis. Mullaway has an above average unemployment rate of 13.5% and 122 people are not part of the labour force.

### 4.3 Aging Population

In 2008, the Department of Health and Aging released the publication "Ageing and Aged Care in Australia." This document stated:

*'Australia's population is getting older. Around 9 per cent of our population (some 2 million people) is aged 70 years or older. This is expected to rise to 13 per cent by 2021 and to 20 per cent (around 5.7 million people) in 2051. People aged 80 years and over currently make up around 4 per cent of the population and this proportion is expected to increase to 10 per cent by 2051'*

In 2008 the NSW Government reported that the number of people in NSW aged over 65 was projected to increase from 0.9 million in 2006 to 2.4 million by 2051, with those aged over 65 to outnumber children aged below 15 years by 2018 (*Population Issues for Sydney and NSW: policy frameworks and responses*, NSW Parliament 2011).

In 2006 the median age of all persons in Coffs Harbour was 43, this reveals that not only is the median age of the Mid North Coast Region getting older, but that the median age of the region as a whole is getting older much faster than the State, which has a comparable median age of 37.

Population projections indicate that by 2031 the median age will have increased to 51. Significant growth in the 45 – 64 and 65+ age groups will continue to influence this trend.

#### 4.4 Demand for Seniors Housing in the Region

A 2008 NSW Department of Local Government aging in place forecasts report revealed that:

*" Coastal Hamlets, including areas around Byron Bay and Coffs Harbour, are expected to experience massive growth in senior citizens as a consequence of retirees moving into the area. On the Mid-North Coast, for example, over-65s would climb from 19.1 per cent of the areas population to 34.2 per cent. The number of people in the area aged over 85 would climb 274 per cent, with similar*

*growth expected on the Far North Coast. But the survey by the Department of Local Government says only 15 of the state's 152 councils have an ageing strategy in place."*

The *Population Issues for Sydney and NSW: policy frameworks and responses* (NSW Parliament, 2011) also stated that coastal regions are expected to experience the largest percentage increase in people aged between 65-84 and over 85 years, with the Mid-North Coast, Nowra Bomaderry, and Illawarra statistical areas projected to experience the greatest increases. The ABS attributes this trend partly to 'sea change' and 'tree change' movements as older people move away from employment centres in their retirement.

The Commonwealth Department of Health and Ageing planning data released as part of the annual Aged Care Place Allocation Round (ACAR 2009/2010) outlined its expectations that the planning for services target over 70 years population in the Mid-North Coast Region would grow by some 12,163 people in the period to 2011.

The Commonwealth's ACAR Round 2010 revised those planning requirements to seek the provision of an additional 180 residential care places in the Mid North Coast Planning Region and 140 places in the Far North Coast Planning Region, focused on the "Clarence Valley".

The "Clarence Valley" portion of the Commonwealth's Far North Coast Planning Region abuts the northern boundary of the Mid North Coast's Planning Region with the Commonwealth Far North Coast Regional boundary extending from the Coast, a few kilometres north of Mullaway to its southern tip, West of Bellingen. Based upon the 2010 ACAR round place allocations, the population aged 70 years and over in the Mid and Far North Coast Planning Regions is predicted to increase by 7,273 over the next year.



#### 4.5 Local Government Responsibility for an Aging Nation

The Productivity Commission, in its research study—*Economic implications of an Ageing Australia*, concluded that with the delivery of human services now representing 49% of total local government expenditure, local councils are more likely to face budgetary pressures from population ageing than from traditional activities such as road and infrastructure provision and maintenance. The main demands are expected to be: health and aged care, home support services, subsidy of medical services, community transport and a range of cultural and recreation services.

The ALGA report - *Awareness to Action: Local government's response to population ageing* (2005) states

*The development of age-friendly infrastructure will be important to help older people remain active and independent. The planning, design and construction of environments for older people, in both the public and private domain, will need to be considered at all stages of the planning process.*

The report concludes by saying:

*'However, the implications of an ageing population for local government cannot be ignored as it is only a few years before the impacts begin to take affect.'*

Within the northern beaches, indeed the Mid North Coast, the deficiency of seniors housing is well documented. Councils need to address the housing needs of this significant proportion of the community.

In promoting seniors housing within the Coffs Harbour region, Council can benefit individuals through improved health and overall wellbeing, increase independence and greater social interaction. Council can also benefit the entire community. Age-friendly built environments can make neighbourhoods more liveable for all ages, reduce costs associated with health and aged care and yield a range of social and economic benefits by extending and expanding seniors' contribution to community life.

## 5. Opportunities and Constraints

The significant opportunities and constraints relating to the site are set out below and displayed on Figure 7. These have been based on the background studies carried out and are summarised in the previous section.

Opportunities include:

- ▶ Biobanking Agreement which conserves a significant vegetation community in the northern beaches;
- ▶ Conserving a significant portion of the site creating a bush land character to the development;
- ▶ Provision of additional housing for seniors in a region which is experiencing a very high influx of aged persons;
- ▶ Potential to create a model coastal development combining development and conservation objectives; and
- ▶ Capacity to create a “seniors community” in a prime coastal location with excellent access to beach and conserved/maintained coastal environment.

Constraints include:

- ▶ The need to protect development from fire hazards;
- ▶ The need to conserve significant vegetation;
- ▶ The need to respond to solar access for each dwelling;
- ▶ The need to protect the amenity of Mullaway;
- ▶ The need to protect water quality; and
- ▶ The need to conserve indigenous heritage artefacts.

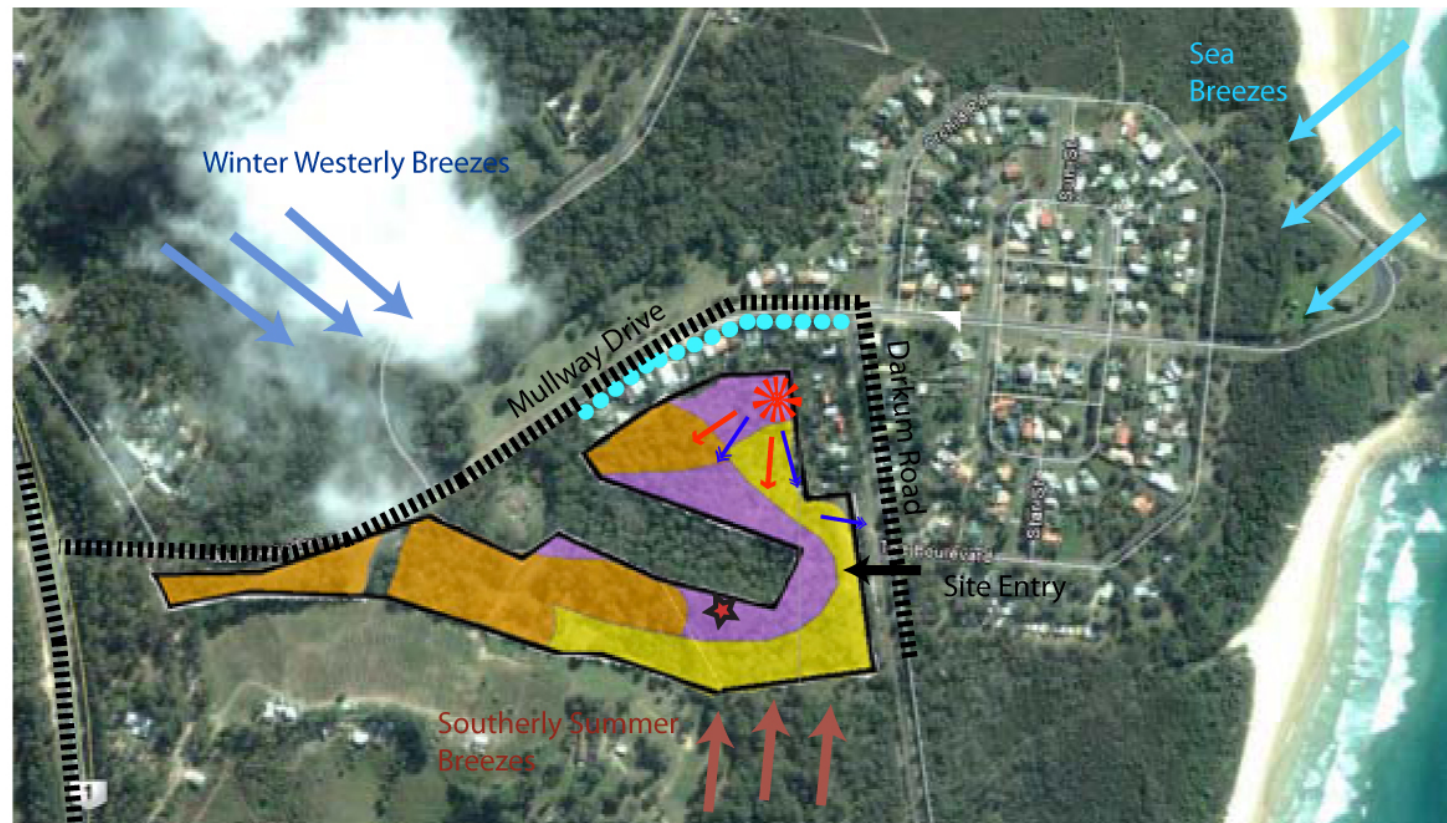
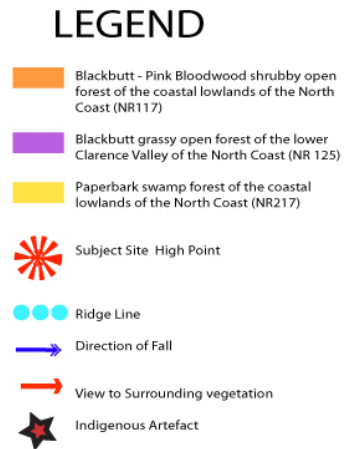
The area proposed for development (less than 25% of the site) was informed and determined by the background studies. The precise

edges of development were made in direct consultation with the consultant ecologists and reviewed in order to improve environmental performance. These have been further amended in the context of the bushfire report.

Site development and management processes were also informed by background studies leading to very high standards of landscape conservation and building design control (in accordance with SEPP Seniors) in order to deliver the vision documented in this report.



**Figure 8 Site Analysis**



## 6. Project Description

### 6.1 Summary of the Proposal

The proposal would include the construction of:

- ▶ **34 single storey dwellings, consisting of 26 x 2 bedroom dwellings and 8 x 3 bedroom dwellings for seniors or people with a disability;**
- ▶ **34 garages, 12 visitor car parking spaces and one emergency vehicle space;**
- ▶ **central administration and care facility of single storey construction;**
- ▶ **maintenance/ garbage recycling shed of single storey construction; and**
- ▶ **daybeds/ seating and associated landscaping.**

The subject site for the proposal currently consists of one allotment being 9.855 hectares in size however the proposal would occupy only 4.4 hectares of this area.

The proposal has access to mains water, reticulated sewerage, electricity and telecommunications services.

### 6.2 Proposed Dwellings

#### 6.2.1 Site Planning

The proposal includes the development of 34 single storey dwellings including 26 x 2 bedroom dwellings and 8 x 3 bedroom dwellings for seniors or persons aged 55 and over.

The layout and height of the proposal is at a scale compatible with immediately adjoining and surrounding residential development, which is dominated by a mixture of single-and two storey detached dwellings.

The majority of the dwellings are all set back from Mullaway Drive and Darkum Road and therefore unlikely to be viewed from these roads due to adjoining development and landscape providing a significant buffer.

Access would be from Darkum Road. The driveway will continue from Darkum Road running to the north west and giving access to all the proposed dwellings.

Car parking is provided for each individual dwelling with one accessible garage/ carport provided for each unit.

All of the proposed internal living areas will receive access to direct sunlight from the north. Adjoining private open space areas have been orientated to maximise solar access. At least 70% of private open spaces will receive direct sunlight from the north, west or east.

The siting of the proposal generally addresses the following criteria:

- ▶ optimises solar exposure;
- ▶ provides each dwelling with useable level open space accessible from internal living areas; and
- ▶ minimises adverse privacy and overshadowing impacts both within the development and onto adjoining properties by site planning and by incorporating landscaping treatments that will provide privacy screening both within the development and onto adjoining properties.



The table below describes the development detail for each dwelling.

**Table 1 Dwelling details**

Building	Unit	Bedrooms	Gross Floor Area (m <sup>2</sup> )	Private Open Space (m <sup>2</sup> )
1	1	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	2	2	265 m <sup>2</sup>	15 m <sup>2</sup>
2	3	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	4	2	265 m <sup>2</sup>	15 m <sup>2</sup>
3	5	3	305 m <sup>2</sup>	15 m <sup>2</sup>
	6	3	305 m <sup>2</sup>	15 m <sup>2</sup>
4	7	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	8	2	265 m <sup>2</sup>	15 m <sup>2</sup>
5	9	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	10	2	265 m <sup>2</sup>	15 m <sup>2</sup>
6	11	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	12	2	265 m <sup>2</sup>	15 m <sup>2</sup>
7	13	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	14	2	265 m <sup>2</sup>	15 m <sup>2</sup>
8	15	3	305 m <sup>2</sup>	15 m <sup>2</sup>
	16	3	305 m <sup>2</sup>	15 m <sup>2</sup>
9	17	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	18	2	265 m <sup>2</sup>	15 m <sup>2</sup>

Building	Unit	Bedrooms	Gross Floor Area (m <sup>2</sup> )	Private Open Space (m <sup>2</sup> )
10	19	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	20	2	265 m <sup>2</sup>	15 m <sup>2</sup>
11	21	3	305 m <sup>2</sup>	15 m <sup>2</sup>
	22	3	305 m <sup>2</sup>	15 m <sup>2</sup>
12	23	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	24	2	265 m <sup>2</sup>	15 m <sup>2</sup>
13	25	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	26	2	265 m <sup>2</sup>	15 m <sup>2</sup>
14	27	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	28	2	265 m <sup>2</sup>	15 m <sup>2</sup>
15	29	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	30	2	265 m <sup>2</sup>	15 m <sup>2</sup>
16	31	2	265 m <sup>2</sup>	15 m <sup>2</sup>
	32	2	265 m <sup>2</sup>	15 m <sup>2</sup>
17	33	3	305 m <sup>2</sup>	15 m <sup>2</sup>
	34	3	305 m <sup>2</sup>	15 m <sup>2</sup>
<b>Total</b>	<b>34</b>	<b>76</b>	<b>9330</b>	<b>510</b>

### 6.3 Design

Each building will be of single storey, fibre cement construction with 13 buildings having east – west orientation and 4 buildings having a north – south orientation.

The design vision for the site has been influenced by the site's orientation and topography, the surrounding development and the remnant vegetation. The proposed dwellings are designed as clusters of buildings which allow the units to address both the street and open space areas whilst creating a hierarchy of space within the site. Building forms are based on low to medium density dwelling models with active ground floor levels.

All buildings are highly articulated and modulated to break down the massing of each cluster and provide architectural interest to the future streetscape. In addition the majority of the dwellings have been sited to maximise acoustic and visual privacy.

Materials and finishes have been selected for long term use and low maintenance via the use of prefinished façade panels and roofing. A variety of prefinished panels are to be utilised and detail will be provided in window frames, shading devices and awnings.

The site receives no restriction of solar access as adjoining properties are a significant distance from the site.

A central garbage storage area is provided on site in the proposed maintenance garbage shed. It is proposed each dwelling will have their own garbage bins and the site manager will regularly collect the bins for disposal in the dedicated skip bins in the shed.

A central letterbox area is provided on site within the front setback. All letterboxes would be constructed to Australia Post standards.

### 6.4 Building Materials and Construction

The proposal is modern in its design, with building facades, consisting of fibre cement panels. 'Colorbond' roof sheeting would be used for all roofing throughout the proposal. Gutters and downpipes and fascias will also be constructed of "Colorbond". The design will also include powder coated aluminium window and door frames. The garage doors will consist of panel lift doors.

### 6.5 Building Heights

The height of the residential buildings is 4.41 metres. The height of the club room is 5.91 metres and the maintenance shed is 5.08 metres.

### 6.6 Private Open Space

Each dwelling has private open space in the form of a deck with an area of 15m<sup>2</sup>. All private open space has a northern orientation.

### 6.7 Landscaping

Jackie Amos Landscape Architect has prepared the concept landscape plans for the proposal which describes the landscape intent and character for the development. The landscape plans are contained in Appendix C.

The site is within easy walking distance along The Boulevard, to Mullaway Beach. In addition, there is a walkway to the south of the caravan park (adjacent to the proposal) towards Cabins Beach and beyond to Safety Beach and the Woolgoolga Golf Course.

The undulating topography, the remnant trees and the proximity to the beach contributes to the site's appealing character. The landscape design seeks to reinforce these positive site attributes

through the use of indigenous vegetation, informal setting to planting and integration of retained trees. The landscaping materials to be incorporated within the site will reflect the 'natural character of the site.

In particular the site will incorporate bluestone basalt landscape walls, bluestone rock, and timber to park structures. Garden areas will incorporate site mulch created from removed trees.

The landscape will retain as many trees as possible and these will be incorporated into simple, large mulch areas to allow for easy mowing. Pathways will be provided for extensive walking within a natural setting. Shelters with seating will provide opportunities for contemplation along walking routes.

Each garden area features flowering native shrubs which will be located to provide some privacy to decks whilst still allowing views to the broader setting.

The front boundary will be the only space that will be fenced, providing a distinction between the public and private spaces. The streetscape planting will feature indigenous species with low maintenance and water requirements. The northern and southern boundary will be heavily landscaped providing visual privacy between existing and future residents.

All dwellings will have access to their front doors via brick concrete paving while concrete paths around the perimeter of the dwellings will lead to the bus stop and club room. The driveways will be laid with broom finished concrete as will all pathways leading to access ways.

A garbage storage area is located near the club room providing storage areas for a skip bin. Each dwelling will be provided with Council bins and the site manager will collect the bins on a regular

basis. The garbage storage area is well screened with landscaping around its perimeter.

A letter box stand has been provided at the entrance to the site within the front setback from Darkum Road on the northern side of the driveway servicing all dwellings.

Mass plantings are proposed to include low level trees and shrubs and groundcover around the building and adjacent to each boundary as well as within the front setback.

The site would also provide areas of deep soil (predominantly within private open spaces) for absorption of run-off and to sustain trees. Native plant species will be used wherever possible.

## 6.8 Pedestrian, Vehicular Access and Car Parking

The site has direct frontage to Darkum Road approximately 210 m in length, commencing approximately 190 m from Mullaway Drive and ending approximately 400 m from Mullaway Drive. The length of Mullaway Drive from Pacific Highway to Darkum Road is 950 m.

Vehicles accessing the car spaces will enter and exit the site in a forward direction with ample manoeuvring space provided to reverse. An access point is provided from Darkum Road with ample sight distances from The Boulevard.

Each dwelling will include a single garage/ carport. Eight visitor car parking spaces have also been provided on site.

In addition, an emergency vehicle bay is also provided and will be line marked for this service only. The emergency vehicle bay, an uncovered space, is located adjacent to the club house and provides an area for cars to reverse. Due to its infrequent use; the emergency vehicle space is not expected to have an impact on streetscape or safety.



One new driveway layback is required on Darkum Road. The additional driveway with separate layback will require construction to Council's specifications.

The site has been designed to accommodate a continuous accessible path of travel to and between all buildings from site entrances at Darkum Road. Pedestrian ramps, pathways have been designed into the buildings and landscape design to ensure all residents are provided equitable access throughout the site.

## 6.9 Set Backs

The development plans in Appendix B illustrate the proposed dwelling envelopes and the following minimum setbacks:

- ▶ 2.3 m from the northern boundary (resulting in a separation from building 6 to lot 341 on the site boundary);
- ▶ 4.5 m from the eastern boundary (resulting in a separation from building 13 to lot 175 on the site boundary);
- ▶ 0.9m from building 14 to the side boundary of lot 175 on Darkum Road;
- ▶ Building 14 and 15 – setback 6 m from Darkum Road; and
- ▶ Building 16 - setback 10 m from Darkum Road.

Landscaping will be provided within the setback to soften the impact of the building on Darkum road and minimise adverse amenity impacts. The setbacks are therefore consistent with the existing dwellings on Darkum Road.

## 6.10 Site Fencing

A 1.5 m high lapped timber fence is proposed for the front boundaries of the site. The fence will be stepped in and out along the boundary to create planting areas to front of fence.

The fencing will be timber paling supported by steel posts with welded steel capping and concrete footings at least every 2.4m. All timber is to be CCA treated pine with a natural stain.

The front boundary is to have garden edging which includes a timber sleeper with foliage planting which is to assist in defining the space whilst softening the development to the street frontage. Garden edging is proposed to define the private open space areas. This garden edging will only be located on one half of the front boundary (to the north).

## 6.11 Proposed Facilities

The proposal will allow the opportunity to construct 34 modern serviced self care dwellings and associated car parking. There will be a mix of two and three bedroom dwellings to target a mix of affordability levels.

Dwelling features will include:

- ▶ Environmentally friendly design;
- ▶ Spacious and modern kitchen areas, separate internal laundries;
- ▶ Bathrooms appropriate for older people;
- ▶ Generous storage space; and
- ▶ Accessible walkways and entrances.

The residents will also have access to

- ▶ A main club house which is large enough to seat all ILU residents, with theatre, wiring for digital/pay TV and internet, and kitchen and toilet facilities;
- ▶ Another smaller consulting room within the club house;
- ▶ Two separate day bed/ pavilions;
- ▶ A recreational path way which is fully accessible;

- ▶ A community bus for transport to shops and medical centres, and for outings;
- ▶ Building and garden maintenance, with a dedicated space for maintenance stores/workshop; and
- ▶ Communal open space outside the proposed club room which provides for BBQ's, picnics and group gatherings.

The complex would be operated as a retirement village, in accordance with the *NSW Retirement Villages Act 1999*.

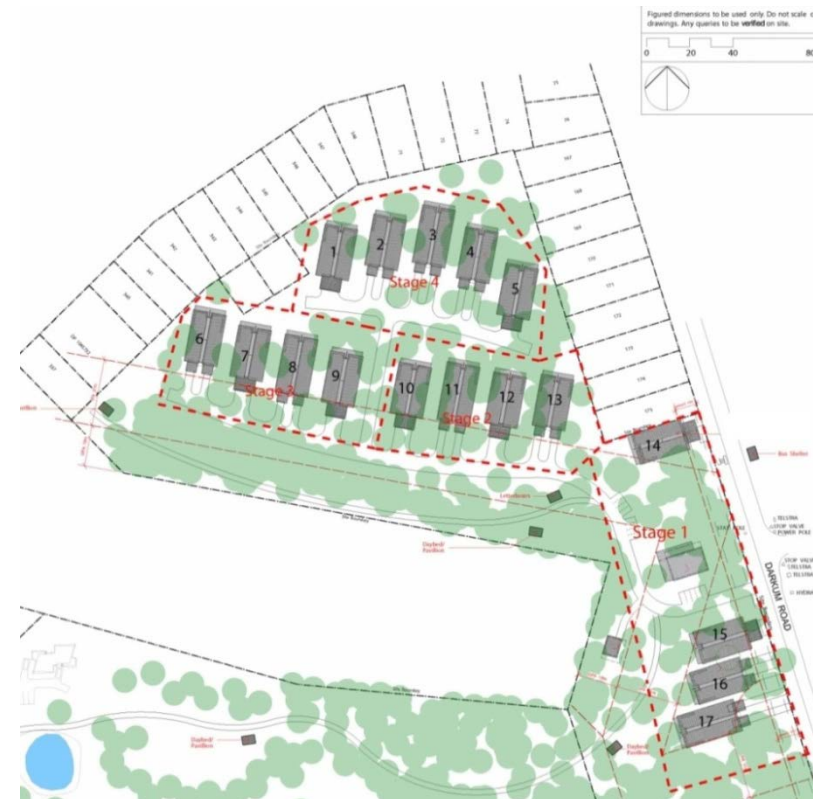
The most common arrangement in retirement villages is a loan and/or licence agreement. All residents enter into a licence agreement, which grants a resident a right to occupy the premises. All the details are documented in the contract offered to a resident before they move in.

## 6.12 Staging

The staging plan is reproduced in Figure 9. The development is expected to be undertaken in four stages as set out below.

- ▶ Stage 1 - Cluster 1 (8 units – building numbers 14, 15, 16 and 17), including the club house and maintenance / garbage shed;
- ▶ Stage 2 - Cluster 2 (8 units – building numbers 10, 11, 12 and 13);
- ▶ Stage 3 - Cluster 3 (8 units – building numbers 6, 7, 8 and 9); and
- ▶ Stage 4 - Cluster 4 (10 units – building numbers 1, 2, 3, 4 and 5).

**Figure 9 Staging Plan**





## **PERSPECTIVES ON PROPOSED DWELLINGS**





## 7. Principle Development Issues

### 7.1 Removal of Trees

Arboreal Solutions Arboricultural Consultants were engaged to prepare two separate arborist reports. A copy of the reports are contained in Appendix D. The reports assessed 990 trees within the development footprint. Of the 990 trees assessed:

- 23 had hollows present.
- 38 are old growth trees, some containing hollows.
- 16 mature trees were assessed as having hollows.
- 33 are dead, some containing hollows.
- 681 have a Condition Rating of 2.
- 223 trees had a Condition Rating of 3.
- 28 trees have a Condition Rating of 4 and 5 being most suitable for retention as individual specimens.

As part of a Biobanking Agreement (described in Section 7.3) of this report) 48% of the trees or 478 trees will be removed from within the development footprint. Some of the species include hollows with the majority Blackbutts.

More appropriately located tree plantings will be provided as part of the proposed landscaping scheme to compensate for some of the loss of these trees.

**Table 2 Removal of Trees**

Species Description	Total Removed
Black Sheoak ( <i>Allocasuarina littoralis</i> )	5
Blackbutt ( <i>Eucalyptus pilularis</i> )	121
Broadleaved Paperbark ( <i>Melaleuca quinquenervia</i> )	106
Brushbox ( <i>Lophostemon confertus</i> )	16
Cheese Tree ( <i>Glochidion ferdinandi</i> )	1
Coral Tree ( <i>Erythrina laurifolia</i> )	4
Forest Red Gum, ( <i>Eucalyptus teriticornis</i> )	13
Gadaghi, ( <i>Corymbia tolleriana</i> )	1
Northern Grey Ironbark ( <i>Eucalyptus siderophloia</i> )	29
Pink Bloodwood, ( <i>Corymbia intermedia</i> )	44
Queen Palm ( <i>Syagrus romanzoffianum</i> )	1
Red Ash, ( <i>Alphitonia excels</i> )	8
Red Bloodwood, ( <i>Corymbia gummifera</i> )	14
Red Mahogany, ( <i>Eucalyptus resinifera</i> )	33
Swamp Sheoak, <i>Casuarina glauca</i>	11
Swamp Turpentine <i>Lophostemon suaveolens</i>	25
Tallowood, <i>Eucalyptus microcorys</i>	19
Unknown	5

Species Description	Total Removed
Hollows	22
Total Trees Removed	478

## 7.2 Biobanking

Ecological impacts have been assessed via a Biobanking Assessment (refer to Appendix E). As part of this assessment detailed surveys were conducted which identified the presence of two vegetation communities within the development footprint, as shown in Table 3. This identification is consistent with the nomenclature used by the DECCW Biobanking Vegetation Types Database for the Northern Rivers' Catchment Management Authority (CMA) region; the 'Coffs Coast & Escarpment' CMA sub-region; and the 'Brooms Head - Kempsey Coastal Ramp' Mitchell Landscape (DECC, 2008).

**Table 3 Vegetation Type and Condition**

Vegetation Type	ID	Conservation Significance	Descript	Condition
Blackbutt – Tallowwood dry grassy open forest of the central parts North Coast (Blackbutt – Tallowwood)	NR 119	Not listed.	As per detailed description below.	Moderate
Forest Red Gum – Swamp Box of the Clarence Valley lowlands of the North Coast (Forest Red Gum – Swamp Box)	NR 161	EEC	As per detailed description below.	Moderate

The purpose of the assessment was to determine the biobanking credit value of the extant ecosystems and species of the site.

Under the BioBanking Assessment Methodology (the methodology), biodiversity values are assessed and measured according to the two types of biodiversity credits that may be created or required.

1. Ecosystem credits are created or required for all impacts on biodiversity values. These credits automatically account for threatened species that can be reliably predicted by habitat surrogates (as determined by the methodology and assessment of vegetation type, condition etc); and
2. Species credits are created or required for all impacts on threatened species that cannot be reliably predicted to use an area of land based on habitat surrogate (as per DECCW's Threatened Species Profile Database).

### 7.2.1 Ecosystems Credits

The credit requirements were assessed using the Biobanking Credit Calculator v1.2 (the calculator). Data from the fieldwork and mapping was entered into the calculator to determine the number of credits required to offset the impacts of the development. The calculations account for impacts on site vegetation (i.e. complete clearing and partial clearing for bush fire APZs). Table 4 shows the number and type of ecosystem credits required to offset the proposed activity.

**Table 4 Ecosystem Credits for the Site**

Vegetation Zones	Surrounding Vegetation Cover in which the vegetation must be obtained	Minimum area of Contiguous vegetation in which credits must be obtained	Ecosystem Credits Required
Blackbutt – Tallowood (NR119)	>30%	>100 ha	206
Forest Red Gum – Swamp Box (NR161)	>30%	>100 ha	37
Total Ecosystem Credits Required			243

## 7.2.2 Species Credits

The BioBanking assessment has made the assumption that the development would have an impact on the habitat of the Square-tailed Kite (*Lophoictinia isura*). The breakdown of the distribution and potential impact on this species is:

- 3.5 ha of potential habitat are *assumed* to be impacted by the development. This area excludes the lands being maintained as a bush fire outer protection area.
- 47 species credits are required for the development

Based on the credit requirement from the development site, the number of credits required for retirement to satisfy the BioBanking statement for the development will equate to:

- 206 for Blackbutt – Tallowood dry grassy open forest of the central parts North Coast (NR119).
- 37 for Forest Red Gum – Swamp Box of the Clarence Valley lowlands of the North Coast (NR161).
- 47 for Square-tailed Kite (*Lophoictinia isura*).

It is proposed that ecosystem and species credits will be retired from an appropriate Biobank site that has been defined by a Biobanking Agreement approved by the Minister. In this regard, our client proposes to retire credits from Lot 2 DP 1128964, Darkum Road, Mullaway as it has similar vegetation to that which is to be removed at the subject site. The application for the Biobanking Agreement is soon to be lodged with OEH for determination.

## 7.3 Bushfire Prone Land

CHCC has identified the site as being bushfire prone land. The proposal would be considered a 'Special Fire Protection Purpose' (SFPP). A Bushfire Hazard Assessment has been prepared by GHD. A copy of the report is contained in Appendix H.

The report was prepared in order to address s.100B of the Rural Fires Act 1997, cl.44 of the *Rural Fires Regulation 2008* and Planning for Bushfire Protection (PBP 2006) (NSWRFS, 2006). In particular it addresses the matters listed in Appendix 4 of PBP 2006 Submission Requirements for DAs on bush fire prone land (NSWRFS, 2006 p.67). This report is discussed further in Section 8.1.

## 7.4 Noise and Vibration

Construction of the proposal has the potential to cause noise and vibration. All construction noise impacts would be short term and



occur within the standard construction hours. No rock hammering or pile driving is proposed. It is not expected that any vibration impacts would occur.

The proposal is not expected to have any ongoing effect on current neighbourhood amenity, and it is considered that the current amenity is conducive to the proposal.

## 7.5 Traffic

GHD undertook a Traffic Impact Assessment (TIA) for the proposal. The TIA examined the access, traffic and parking impacts of the proposal. A full copy of the report is contained in Appendix I.

### 7.5.1 Existing Road Network

The Pacific Highway is a classified State Road fulfilling a role as a major inter-regional link between Sydney and the north coast of NSW, and into Queensland, including regional townships and provides access to local communities along its length. At Mullaway Drive the highway has an undivided carriageway with one northbound lane and a right turn lane and two southbound lanes plus a southbound left turn lane.

Currently, Mullaway Drive intersects Pacific Highway within a 100 km/h speed zone. The intersection is constructed as a Type CHR Rural Intersection with painted medians on Pacific Highway, a sheltered right turn bay and a long deceleration and left turn lane for southbound vehicles turning into Mullaway Drive to minimise delay to following southbound traffic.

It is pertinent to note that upgrading of Pacific Highway to divided carriageway motorway standard with grade separated interchanges from Sapphire to Arrawarra is currently under construction. The existing 2 lane highway from Woolgoolga to Arrawarra will be

bypassed and will become part of the local access road network at this location and will operate as a two way undivided service road. This will significantly reduce traffic volume on the existing highway by separating through highway traffic from local traffic.

### 7.5.2 Existing Site Access

The site has direct frontage to Darkum Road 196 m in length, commencing approximately 190 m from Mullaway Drive and ending approximately 380 m from Mullaway Drive. The length of Mullaway Drive from Pacific Highway to Darkum Road is 950 m.

Mullaway Drive is a two way/ two lane road with a sealed surface approximately 5.9 m to 7.4 m wide and gravel shoulders of varying width.

Darkum Road is sealed full width from Mullaway Drive with roll kerb both sides (7.5 m wide) to approximately 24 m past the intersection of The Boulevarde. Of the 190 m frontage of the development site to Darkum Road, 76 m is kerbed. South of the end of the kerbed frontage, the road has a 5.9 m seal and grassed verges and table drains.

### 7.5.3 Pacific Highway Intersection with Mullaway Drive

The intersection of Pacific Highway with Mullaway Drive is constructed as a rural type CHR intersection. The highway has a single northbound lane and dual lanes southbound, plus a separate right turn lane sheltered by a painted median, a short left turn southbound acceleration taper and a southbound deceleration and left turn lane.

- The right turn lane has a deceleration and storage length of 170 m.

- ▶ The auxiliary left turn lane has a length of 135 m.
- ▶ The left turn acceleration taper has a length of 45 m.

## 7.5.4 Access to Darkum Road

Two duplex units will have double driveways and 2 duplex units will have 4 single driveways to Darkum Road. For a 50 km/h speed zone the minimum sight distance from the residential driveway is 40 m. More than 100 m sight distance would be available from each driveway.

An open stormwater channel runs within the road reserve abutting the boundary from the northern corner abutting No 20, to the pipe culvert drainage structure approximately 20 m south. The duplex unit proposed adjacent to the open drain will require a structure to cross the open drain to gain access to the roadway.

The internal access driveway has a desirable minimum sight distance requirement of 69 m. The available sight distance is greater than this. The location of the internal access driveway and its intersection with the Darkum Road kerbline has been assessed in relation to Figure 3.1 of AS 2890.1:2004 regarding its proximity to The Boulevarde intersection. It was found that the northern side of the footpath crossing would be 11 m from the prolongation of the road reserve boundary of The Boulevarde which exceeds the minimum setback of 6 m.

## 7.5.5 Projected Traffic Generation

Traffic generation potential of a proposal is normally based on rates provided in the Roads and Traffic Authorities "Guide to Traffic Generating Developments" (2002). The referenced RTA Traffic Study indicates that 1 to 2 trips per dwelling per day are expected

from housing for aged and disabled persons. The evening peak hour vehicle trips would be in the range of 0.1 to 0.2 per dwelling.

The higher trip generation rates are applicable to private vehicles associated with resident funded developments.

Utilisation of the existing public bus service for the demand from the development will result in no additional trips attributable to the development.

For 34 residential units, the following vehicle movements are expected:

- ▶ 34 to 68 trips per day; and
- ▶ 4 to 7 trips in the evening peak hour.

This is equivalent to the development of less than 8 standard residential lots in terms of maximum daily traffic generation.

## 7.5.6 Traffic Assignment and Safety

It is assumed that all trips will be to and from Woolgoolga to the site. The low incidence of traffic crashes in the vicinity of the development is not expected to be impacted by the low volume of traffic to be generated from the development.

## 7.5.7 Road Network

Traffic generation from the facility will increase evening peak hour volume in 2011 in Mullaway Drive from 235 to 242 vph, an increase of 3% and in 2021 from 252 to 259 vph, an increase of 2.8%.

The opening of the Sapphire to Woolgoolga Pacific Highway bypass will reduce Pacific Highway AADT north of Mullaway Drive intersection from 13,402 in 2011 to 6762 in 2021, a reduction of 50%.

The intersection of Mullaway Drive and Pacific Highway currently operates at LOS A. With the development included, the projected LOS in 2021 is anticipated to continue at LOS A.

Without the highway bypass the impact of the development is very minor. After the opening of the bypass highway volumes will drop to 50% of current levels so the impact of the development will not be noticeable.

#### **7.5.8 Site Frontage**

The site has frontage to Darkum Road which is suitable for the development with sight distance for vehicular access well in excess of the minimum requirements. An accessible footpath will be required either along the road reserve or within the property to link the units fronting the road with the site facilities and for access to the proposed bus stop. The path is to be constructed in accordance with AS 1428.

Vehicular access to garages fronting Darkum Road will be designed and constructed to suit integration with accessible pathways and driveway grading in accordance with AS 2890.1.

The sight distance from individual access driveways to garages will comply with the requirements of Fig 3.2 AS 2890.1.

#### **7.5.9 Site Access and Parking**

The internal access road will be constructed as a two way road 5.5 m wide from Darkum Road to the internal residential units.

The full length of the internal access road will be designed to suit access and parking for resident vehicles and medium rigid vehicle for access by removalists and similar service vehicles.

#### **7.5.10 Conclusion**

Overall the impact of the development in the local area will be barely noticeable on overall traffic volumes and the site is compatible with the proposed use.

### **7.6 Stormwater Drainage**

The catchment draining to the east of the site has an area of some 7.67 ha. This catchment area is bound by Mullaway Drive to the north and Darkum road to the east. A ridgeline to the southwest of the site separates this smaller catchment from the western regions of the development site. 1.89 ha of this catchment area is currently in use as existing residential development consisting of 27 lots with frontage to Mullaway Drive and Darkum Road. The remainder of the catchment is forested undeveloped land.

Preliminary investigations suggest the total impervious area in the catchment in the predevelopment scenario to be approximately 1.5 ha or 20%.

In the post-development scenario, road and infrastructure to be constructed would result in an additional 1 ha of impervious surfaces in the catchment or a total of 2.52 ha of impervious surface. This results in the total impervious surfaces in the catchment increasing from 20% to 35%.

#### **7.6.1 Hydrology**

The peak flow discharging from the catchment in the pre-development scenario was determined to be 5210 L/s for the 1% AEP event.

As a result of this development, the peak flow discharging from the site in the 1% AEP event would increase by 630 L/s to 5,840 L/s



(approx. 12% increase). Preliminary modelling using the Drains software package of the peak flows discharging from the catchment indicated that a detention basin with some 900 cubic metres of storage would be required on site to mitigate this increase and reduce the post-development flows to predevelopment levels.

## 7.6.2 Water quality

In order to meet the CHCC's WSUD water quality targets of 85%, 45% and 45% reductions in Total Suspended Solids (TSS), Total Phosphorus (TP) and Total Nitrogen (TN) respectively, preliminary Music modelling was undertaken for the proposal. The results indicate that a bio retention area with some 600 square metres of surface area would be required. This bio-retention area could be incorporated into a shallow detention area or could be distributed throughout the site as a series of smaller bioretention areas or bioretention swales. Ample area exists on the site to accommodate appropriate water quality measures.

In addition, it is also proposed to install several inlet pits around the site and stormwater drains which flow to an underground stormwater tank. Overflows from this will connect to the Council stormwater system.

Further details of the stormwater and water quality measures would be provided as part of the Construction Certificate for the proposal.

## 7.7 Resource Use

Consideration for recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water has been a feature of the design process. Both construction

and operation of the proposal would not place any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply.

## 7.8 Views

The proposed buildings have been designed to appear residential in character and are sited to minimise visual impact on the vegetation within the site. The majority of the buildings will not be sited from public areas as they are located behind the residential properties to the north.

Within the site, buildings are appropriately separated in order to retain an appropriate curtilage around each building. The buildings' proportions and materials are sympathetic to the existing vegetation and character of the area as well as to surrounding residential development.

The subject site is not within an important viewshed and does not impinge upon panoramic views, iconic views or any significant views of landscape features when viewed from these locations.

The visual impact on the surrounding area is considered to be appropriate and will not detract from the character of Mullaway.

### 7.8.1 Mullaway Drive

Figure 10 provides a view of the site with those of surrounding developments. As Mullaway Drive is on an existing ridgeline and the proposed location of the buildings are sited below the existing properties, the view angles are screened by these dwellings. It is unlikely that the proposed building envelopes would reduce local views from Mullaway Drive.

The post development vista of the vegetation will change, as some tree will be removed. However, this will only affect some areas as there are significant large trees along the Mullaway Drive which will screen this view. For the sites that are affected it will be minimal and the provision of landscaping including trees along the north boundary of the property will soften the appearance of the proposal; over time thereby further minimising visual impact.

It is therefore concluded that the site can absorb the majority of the visual impact as viewed from Mullaway Drive.

**Figure 10 Visual Analysis, view to site from Mullaway Drive**



## 7.8.2 Darkum Road

There are significant site characteristics that affect how the site can be viewed from the surrounds. The site proposed for development is mostly within tall open forest.

If development was to proceed the site would include the retention of a significant amount of trees to the west and throughout the site. In addition the provision of landscape along the site boundary from Darkum Road would provide a visual buffer.

In addition there are proposed to be significant setbacks from Darkum Road. It is considered that where the viewshed will change the landscape, it will be replaced with a high quality landscape in keeping with the existing development in the area.

**Figure 11 Visual Analysis, view to site from Darkum Road**



### 7.8.3 Existing Residential Development along the northern/eastern Boundary

There will be visual impact as viewed from the rear boundary of residential dwellings to the north and east of the subject site. However, along the boundary of the residential dwellings significant amounts of landscaping will be provided, in addition to significant setbacks.

Given the setback provided on the subject land and the extent of retained vegetation, it is considered that the proposal will have only minor impact upon the views of the property to the south.

**Figure 12 Visual Analysis, view to site from existing residential development along the northern/eastern boundary**





**Figure 13 Visual Analysis, view from site to existing residential development**



## 7.9 Neighbourhood Character

The surrounding and adjoining development is generally a mix of detached single and double storey dwellings. The site is adjoined by single storey residential buildings on its north east side boundaries. Development in the street is generally uniform, dominated by single storey residential dwellings which date back to the 1950's and 1960's. Some redevelopment is occurring with recently constructed dwellings scattered throughout the area and adjoining the site.

The proposal is one-storey construction, which is largely consistent with the redevelopment sites within the neighbourhood.

The majority of the development is not visible from Darkum Road. The development has been designed in such a manner as to provide a significant amount of landscaping and separation between buildings. This would reduce the bulk and scale of the development.

The massing and overlooking impacts have been minimised by a 10m front set back and the building is set in east west direction providing a minimal built form as viewed from the street.

The proposal is consistent with the established neighbourhood character. The development would introduce a further one storey building into the neighbourhood, however these are considered to be of a reasonable architectural standard that will blend appropriately with the existing residential mix in the locality. The proposed landscaping on the site will help to further blend the development with the existing neighbourhood character.

## 7.10 Bulk and Density

The adjoining development is dominated by detached single residential housing with some two storey multi dwelling housing located in proximity to the subject site. With a FSR of 0.1:1, the development proposes a density similar to the majority of housing developments that have occurred in the street. The proposal complies with the FSR provisions of the SEPP Seniors Design guidelines.

The development proposes materials, colours and openings to help break building massing but to also complement the existing development in the locality. The proposed bulk and height suits the scale of the street and is generally consistent with the existing density of the area.

## 7.11 Streetscape

The streetscape is dominated by single storey development. Development in the street is generally uniform, dominated by single storey residential dwellings which date back to the 1950's and

1960's. Most of the more recent dwellings within the street have been rendered or are constructed in brick.

The street generally has a moderate level of established vegetation comprising a mix of mostly native species.

The proposal is sympathetic to the existing streetscape and is consistent with the pattern of development that currently exists in Darkum Road.

Only 4 of the 17 buildings will be viewed from the street reducing the scale of the development. The dominance of driveways is minimised by locating a significant proportion of the buildings to the north of the site.

## **7.12 Privacy**

Privacy is provided by significant separations between each building.

The location of buildings and the orientation and layout of the buildings has been designed to maximise visual privacy between dwellings and communal open space on the site.

Screening between residential decks will prevent overlooking from one to another, whilst the relative location of dwellings has ensured that the outlook from individual dwellings do not look directly into the living rooms or bedrooms of other dwellings.

The building construction will also be designed to meet the BCA specifications in relation to sound transmission between walls and floors.

## **7.13 Solar Access**

The site receives no restriction of solar access other than from the existing vegetation and does not restrict the solar access on

neighbouring sites. The proposal has been designed to maximise solar access within the development.

Most dwellings have private open space that is orientated to the north, in order to maximise solar access. The northerly aspect allows for good solar access which reduces the need for excessive amounts of heating in the winter months within the living areas of each dwelling.

Private open space is appropriately arranged on site.

## **7.14 Heritage**

### **7.14.1 Indigenous Heritage**

To determine if any items of Aboriginal heritage are located within the vicinity of the site, a search of the Department of Environment, Climate Change and Water's Aboriginal Heritage Information Management System (AHIMS) was undertaken. The search revealed that there are no Aboriginal sites located within the site. A search of the Australian Heritage Database was also undertaken and this also indicated that there are no Aboriginal sites located within the site.

Following the AHIMS search, GHD attended an on-site meeting on 25 February 2011 with Mark Flanders from the Coffs Harbour LALC and a representative of the Garby Elders to discuss potential Aboriginal sites. The LALC advised that there were stone tools found along the southern side of the ridge line that dissects the site as shown on the site analysis plan (refer to Figure 8). No development is proposed near the identified artefacts.

## 7.14.2 Non-Indigenous Heritage

To determine if any items of non-indigenous heritage are located within the site, a search of the following documents and databases was undertaken:

- ▶ CHCC LEP 2000;
- ▶ North Coast Regional Environmental Plan;
- ▶ The NSW State Heritage Register; and
- ▶ The Australian Heritage Database.

The searches indicated that there are no records of any items of non-indigenous heritage at the site.



## 8. Planning Framework

The following section details the planning framework for the proposal.

### 8.1 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors) aims to encourage the provision of housing for seniors or people with a disability. It achieves this by establishing development criteria, design principles and servicing requirements for this type of housing.

Pursuant to Clause 2(2) of the SEPP Seniors, local environmental planning instruments are set aside where they would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in the SEPP Seniors. However, this is subject, among other considerations, to the following:

- ▶ That the development occurs on land which is zoned 'primarily for urban purposes', or on land which adjoins land zoned 'primarily for urban purposes' where development is permitted for dwelling-houses; and
- ▶ That the land is not subject to any of the environmental constraints listed in Schedule 1 (environmentally sensitive land) of the SEPP.

SEPP Seniors applies to the subject site on land which adjoins land zoned 'primarily for urban purposes', being situated adjacent to land zoned 2(a) Residential Low Density Zone under the Coffs Harbour

LEP 2000 and is not subject to any of the environmental constraints listed in Schedule 1 of SEPP Seniors.

As previously noted, the provisions of Clause 5(3) of SEPP Seniors provides that if the SEPP Seniors is inconsistent with any other environmental planning instrument, then SEPP Seniors prevails to the extent of the inconsistency. Notwithstanding, the development has been designed having regard to the provisions of local controls which are relevant to the subject site and the proposal including Coffs Harbour LEP 2000 and relevant DCP's.

As required by Clause 24, land located adjacent to land zoned primarily for urban purposes is to obtain a Site Compatibility Certificate (SCC). A SCC has been issued and is provided in Appendix A. Clause 17 also requires development on land located adjacent to land zoned primarily for urban purposes to be a certain type of seniors housing. The proposal meets this requirement because it comprises serviced self-care housing that is consistent with the definition of a retirement village under the Retirement Villages Act 1999 and the requirements of Clause 42 of SEPP Seniors.

#### 8.1.1 Location and access to facilities [Clause 26 and Clause 43]

Clause 26 outlines the requirements of SEPP Seniors in relation to access to facilities, however, Clause 43 has specific requirements for land located adjacent to land zoned primarily for urban purposes.

The proposal would satisfy the requirements of Clause 43 by the provision of a bus service with the carrying capacity of at least 10 passengers that would:

- ▶ Drop off and pick up passengers at a local centre that provides residents with access to the following:
  - shops, bank service providers and other retail and commercial services that residents may reasonably require,
  - community services and recreation facilities,
  - the practice of a general medical practitioner,
- ▶ Be available both to and from the proposal to any such local centre at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day; and
- ▶ Provide regular resident excursions, special community events and other services to meet the needs of the residents.

In addition to the above transport services, the site is located approximately 400m from the Mullaway General Store and the current bus stop.

Ryan's Bus Service have indicated that they may extend their service to include a stop for the proposal (refer to letter from Ryan Bus Service in Appendix F. The development plans demonstrate the location of the bus stop proposed. This bus will travel to both Woolgoolga and Coffs Harbour where medical services are provided (the Ryan Bus Service's timetable is provided in Appendix F).

**Figure 14 Pedestrian Paths and Access to Bus Stop**



## 8.1.2 Bushfire Prone Land [Clause 27]

Coffs Harbour City Council (CHCC) has identified the site as being bushfire prone land. The development would be considered 'Special Fire Protection Purposes' (SFPP), as a result, a Bush Fire Hazard Report was developed. The full report can be viewed in Appendix H.

The report was prepared in order to address s.100B of the *Rural Fires Act 1997*, cl.44 of the *Rural Fires Regulation 2008* and *Planning for Bushfire Protection* (PBP 2006) (NSWRFS, 2006). In particular it addresses the matters listed in Appendix 4 of PBP 2006 *Submission Requirements for DAs on bush fire prone land* (NSWRFS, 2006 p.67).

As a result the report concluded that:

*'The bushfire protection provisions proposed for the development, as well as accompanying recommendations outlined in this report, generally comply with the "Acceptable Solutions" for each Protection Measure contained within Section 4.2.7 of PBP 2006. Where the proposal does not comply with the requirements, the non-conformance is considered marginal and the intent is achieved. The proposal and associated bushfire protection measures are therefore considered to achieve the intent of PBP 2006 and s.100B of the Rural Fires Act 1997. The proposal also reduces the bushfire risk to the existing neighbouring development'.*

### 8.1.3 Availability of water and sewer services [Clause 28]

Clause 28 requires that the proposed seniors housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.

The site has access to potable water, reticulated water and sewerage services. The site compatibility certificate provides for the development of the site for seniors housing with access to the mains water and sewerage services in Mullaway.

### 8.1.4 Site Compatibility Criteria [Clause 25 , 29]

The proposal is considered to be compatible with the surrounding land uses having regard to the following criteria:

- ▶ The proposal is located adjacent to an established urban area and the natural hazards have been carefully considered and addressed below.
- ▶ The existing uses and approved uses of land in the vicinity of the proposal are predominantly for residential purposes. There are services and infrastructure that will be available to meet the demands arising from the proposal (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in the SEPP Seniors).
- ▶ The impact of the bulk, scale, built form and character of the proposal is considered to be compatible with the existing uses, approved uses and likely future uses of land in the vicinity of the development.

A Site Compatibility Certificate was issued by the Department of Planning on 17 September 2009. A copy of the SCC is provided in Appendix A. The SCC will expire on 17 September 2011. The Department of Planning and Infrastructure's Jim Clark has advised that should Council not determine the DA within this time that a new SCC application would need to be lodged but approval would be granted given that the application would essentially be for an extension of time. A subsequent application has since been lodged with the Department to facilitate this extension of time.

### 8.1.5 Site analysis [Clause 30]

In accordance with Clause 30 of the SEPP Seniors, a site analysis was undertaken prior to the design of the proposal as part of the site compatibility statement.

The information about the site and its surrounds identified and has been taken into account in the assessment of the development in



conjunction with the submitted survey and architectural plans and can be shown in section 3.

The development has been designed to be energy efficient and responds appropriately to the aspects, slope of the site, existing vegetation and solar access.

## 8.1.6 Design principles [Clauses 33-39]

It is considered that adequate regard has been given to the design principles contained within Part 3, Division 2 of the SEPP Seniors (Clauses 33-39). This is demonstrated in the assessment below:

### 8.1.7 Neighbourhood amenity and streetscape [Clause 33]

It is considered that the proposal will create an attractive residential environment sympathetic with the existing and future residential development in the surrounding area, as it has been designed to address the following design principles for neighbourhood amenity and streetscape set out in Clause 33 SEPP Seniors:

- **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.**

**Comment:** The proposal is a low key single storey residential development which is spacious and well landscaped and therefore, this is consistent with the character of the surrounding residential developments. The development is of suitable bulk and scale compared to adjoining development and will not result in any unreasonable visual or amenity impacts within the neighbourhood.

- **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**

**Comment:** There are no heritage conservation areas or local heritage items in the vicinity of or on the subject site.

- **maintain reasonable neighbourhood amenity and appropriate residential character by:**

- **providing building setbacks to reduce bulk and overshadowing**

**Comment:** The buildings are setback so as not to be viewed from the public road. Bulk is minimised by dividing the units across separate buildings and providing generous setbacks between these buildings as well as landscaping. Adequate building separation is provided to maintain solar access, reduce the bulk of the dwellings and enhance cross ventilation opportunities. A large portion of the site will be landscaped and planted, including within the front setback. Whilst site coverage will be higher than existing development within the locality, the quality of plantings and landscape design will substantially improve on the visual amenity of the site.

- **using building form and siting that relates to the site's land form.**

**Comment:** The natural features of the site have been considered and as much of the vegetation as possible has been retained, the site has a moderate slope and therefore minor cut and fill is proposed. Living areas and private open spaces are generally orientated to the north in order to obtain adequate solar access.

- ▶ **adopting building heights at the street frontage that are compatible in scale with adjacent development.**

**Comment:** The layout and height of the proposal is at a residential scale at a maximum height of 4.41m which is compatible with immediately adjoining and surrounding residential development.

- ▶ **considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours.**

**Comment:** The minimum setback for the northern boundary is 2.3m. A minimum setback of 0.9m from building 14 to lot 175 has also been provided. No long, unbroken walls are proposed in any direction. The proposed dwellings have mitigated the overlooking of neighbouring properties and solar access has been preserved. Landscaping is proposed to the north of the proposed dwellings which will serve as a buffer to existing adjoining dwellings. No unreasonable impacts are expected. Neighbours views will not be disrupted.

- ▶ **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.**

**Comment:** The front setback to the front unit on Darkum Road is consistent with the front set back of dwellings to the north. As such, the proposal blends well with the neighbouring properties. In addition, the building setbacks comply with the Coffs Harbour DCP requirements for front setback.

- ▶ **embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape.**

**Comment:** The development will provide landscaping that is consistent with the existing character of the neighbourhood. A large

portion of the site will be landscaped and planted, including within the front setback. Whilst site coverage will be higher than existing development within the locality, the quality of plantings and landscape design will substantially improve on the visual amenity of the site (refer to the submitted landscape concept plan).

- ▶ **retain, wherever reasonable, major existing trees.**

**Comment:** The proposal has retained as many existing trees as possible. Trees to be removed would be replaced by extensive landscaping and the impact further offset in accordance with the biobanking agreement.

- ▶ **be designed so that no building is constructed in a riparian zone.**

**Comment:** not applicable, as the site is not located within or adjacent to a riparian zone

## 8.1.8 Visual and acoustic privacy [Clause 34]

The proposal has been designed to maintain visual and acoustic privacy of adjoining properties and within the development. The layout and design of proposed buildings and the provision of landscaping will ensure that privacy within the development and onto adjoining properties is maintained. Design solutions include appropriate building setbacks and heights, dwelling layouts, placement and sizes of window openings, fencing heights, screening and location and landscaping.

The proposed dwellings have been designed in accordance with the requirements of the *Building Code of Australia* for sound and impact transmission so that acceptable noise levels between dwellings are achieved.

## 8.1.9 Solar access and design for climate [Clause 35]

The design and siting of the proposal will provide adequate daylight access to the proposed dwelling living areas and open spaces and the private open spaces of adjoining properties. Living areas and private open spaces are generally orientated to the north in order to obtain adequate solar access. Landscaping will assist in microclimate management.

## 8.1.10 Stormwater [Clause 36]

Impervious surfaces have been minimised to reduce the impact from stormwater. Site stormwater following redevelopment of the site will be drained as described in Section 7.6 and was developed in accordance with Council requirements.

All proposed site surface drainage and stormwater drainage within the development will be directed into and collected by a series of underground stormwater pipes / detention facilities located on the site. Stormwater from the development will be drained directly into the Darkum Road stormwater system located at the front of the site. In addition, deep soil zones are provided throughout the site and will assist in reducing stormwater flows.

## 8.1.11 Crime prevention [Clause 37]

The design of the development has been informed having regard to the principles of "Crime Prevention through Environmental Design"

### **Surveillance**

All dwellings are provided with living rooms, bedrooms or decks which have views of the internal pedestrian and road network. Dwellings which have frontage to the external roads have windows and/or decks overlooking these spaces. Natural surveillance from

each dwelling is therefore possible to the surrounding public areas and internally within the development.

Many dwellings would be clearly visible from the street or pedestrian pathways which also facilitate natural surveillance from the public areas to the development. Lighting will be installed along the internal roads and will be supplemented with lighting along pathways to provide safe environments for residents and facilitate natural surveillance during the evening.

The development has been designed to create an active community of which the clubhouse and bbq area are the focal points, providing the central location for community activities as well as daily needs such as the mail collection point which encourages community interaction. In addition, there are landscaped areas scattered throughout the development in which residents can socialise. The design encourages pedestrian movements throughout the development to provide a good level of pedestrian activity facilitating surveillance.

The development will be a managed retreat with maintenance and landscaping staff that will attend on a regular basis further adding to the level of activity around the development to provide informal surveillance.

### **Access Control**

In order to provide residents with a secure environment, inconspicuous fencing is proposed to be provided as indicated on the landscape plans in Appendix C.

Panelled shutters will be installed at the entry to each garage. These will be activated by a scanner/card mechanism. All vehicular access points will remain open to the street.



The pedestrian access points to Darkum Road will be controlled points to provide a secure environment without creating the sense of seclusion from the surrounding environment.

Each unit cluster will be separated by use of inconspicuous landscaping to control access throughout the site.

## ***Territorial Reinforcement***

When viewed from public streets the development will be softened and reinforced by the use of landscaping. The pedestrian entrances to the streets will be controlled access points. Landscaping and screens will be utilised as a means of defining private spaces for each dwelling.

## ***Space Management***

The development will employ a full time manager who is responsible for the day to day operation. This will include not only administrative functions but also the maintenance of the grounds and buildings.

The regular maintenance of the site, tending to landscaping and cleaning will ensure that the development is maintained and there is constant activity around the site

### **8.1.12 Accessibility [Clause 38]**

The proposal allows for obvious and safe pedestrian links from the site that provide access to transport services / local facilities and will provide an attractive and safe environment for pedestrians and motorists with convenient access to car parking areas for residents. A proposed pathway is shown in the development plans. Improvements along this pathway are required to ensure it meets the requirements of a 'suitable access pathway'. The proponent has committed to undertaking these improvements.

Darkum Road and Mullaway Drive are wide roads in good condition. There are two vehicles lanes and room for on-street car parking on both roads. Currently there is a provision for vehicular driveway from Darkum Road onto the site.

Traffic is low along Darkum Road and as discussed above will be serviced by public buses. A bus stop will be located on the eastern side of Darkum Road (refer to Appendix H for the bus timetable). The footpath is continuous and mostly flat to the bus stop.

Pedestrians will use a pathway adjacent to the driveway to access each dwelling. The pathway will have direct access to each dwelling. Due to expected low traffic volumes and pavement treatment, this is considered appropriate.

Car parking is located and sized for minimal impact on the internal character of the development and is easily accessible for each dwelling.

Dwelling entries are accessed from a front entrance for each building. Dwelling entries are accessed off shared walkways within the site. Although the entries do not relate directly to the street, the shared walkways do.

### **8.1.13 Waste management [Clause 39]**

A central garbage storage area is provided on site in the proposed maintenance garbage shed. It is proposed each dwelling will have their own garbage and the site manager will regularly collect the bins for disposal in the dedicated skip bins in the shed. Waste and recycling facilities will be provided in accordance with Council's requirements.

## 8.1.14 Development standards [Clauses 40, 41 and Schedule 3]

SEPP Seniors contains general development standards relating to minimum site size, site frontage and building height (Clause 40), which must be complied with for all developments, and development standards specifically for self-contained dwellings (Clause 41 & Schedule 3), which must also be complied with. Compliance with Clause 40 of the SEPP Seniors is demonstrated in the table below.

**Table 5 Minimum site size, site frontage and building height standards [Clause 40]**

Development Standard	Required	Proposed	Complies
Site size (cl 40(2))	At least 1,000m <sup>2</sup>	9.9 ha	Yes
Site frontage (cl 40(3))	At least 20m	190m	Yes
Height (cl 40(4))			
in zones where residential flat buildings are not permitted (cl 40(4)(a))	8m or less (ground to ceiling level)	Max 4.41m	Yes
buildings adjacent to site boundary (cl 40(4)(b))	2 storeys	Max 1 storey in height	Yes

Development Standard	Required	Proposed	Complies
buildings located in the rear 25% of site (cl 40(4)(c))	Not to exceed 1 storey	All proposed dwellings in the rear 25% of the site will be one storey in height.	Yes

Compliance with the development standards for accessibility set out in Clause 41 and Schedule 3 is demonstrated in the table below.

**Table 6 Accessibility and useability standards [Clause 41 & Schedule 3]**

Development Standard (Sch 3)	Required	Proposed	Complies
<b>Siting Standards: (cl 2)</b>			
<b>Wheelchair access</b>			
'Non-sloping' sites i.e. with gradients entirely <1:10	100% of ground floor dwellings to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to an adjoining public road.	100% of ground floor dwellings will be wheelchair accessible.	Yes
'Sloping' sites i.e. with gradients entirely or	% of ground floor dwellings, equal to % of site with gradient <1:10 or minimum 50% (whichever	Not applicable, as the site is not a sloping site	NA

Development Standard (Sch 3)	Required	Proposed	Complies
partially >1:10	is greater), to have wheelchair access by a continuous accessible path of travel as per AS 1428.1 to driveway or public road that is accessible to all residents		
Common areas	All common areas and facilities to have wheelchair accessibility as per AS 1428.1	Will comply	Yes
<b>Security: (cl 3)</b>			
Pathway lighting	Pathway lighting to be designed and located to avoid glare for pedestrians and adjacent dwellings and to provide minimum 20 lux at ground level	Will comply	Yes
Letterboxes: (cl 4)	To be lockable, located in central location adjacent to street entry or in one or more central locations on a hard standing area and have wheelchair access and circulation by a continuous path of travel (as per AS 1428.1)	Will comply	Yes
<b>Private car accommodation: (cl 5)</b>			
Disabled car parking	Car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890 and at least 5% of	There is one disabled garage space per dwelling with a dimension of	Yes

Development Standard (Sch 3)	Required	Proposed	Complies
	the total number of car parking spaces (or at least 1 space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8m	6.5 m x 4m (34 in total) and 12 visitor spaces including one emergency vehicle space.	
Garages	Must have 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	The garages will have power operated panel doors.	Yes
Accessible entry (every entry, whether front entry or not): (cl 6)	Must comply with clauses 4.3.1 and 4.3.2 of AS 4299	Will comply	Yes
Garbage: (cl 21)	To be provided in accessible location	A central garbage storage area is provided on site in the proposed maintenance shed. It is proposed each dwelling will have their own garbage and the site manager will regularly collect the	Yes



Development Standard (Sch 3)	Required	Proposed	Complies
		bins for disposal in the dedicated skip bins in the shed.	

Compliance with the specific development standards for useability set out in Schedule 3 of the SEPP Seniors, i.e. the standards for internal design and fittings, is outlined in the table below.

**Table 7 Internal design and fittings standards [Schedule 3]**

Development Standard	Required	Complies
Interior: general (cl 7)	Internal doorways must have a minimum clear opening that complies with AS 1428.1	Yes
	Internal corridors must have a minimum unobstructed width of 1,000 millimetres	Yes.
	Circulation space at approaches to internal doorways must comply with AS 1428.1	Yes
Bedroom: (cl 8)	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,	N/A
(ii)	in the case of a self - contained dwelling - a queen-size bed, and	Yes
(b)	a clear area for the bed of at least:	
(i)	1,200 millimetres wide at the foot of the bed, and	Yes
(ii)	1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and	Yes
(c)	2 double general power outlets on the wall where the head of the bed is likely to be, and	Yes
(d)	at least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and	Yes
(e)	a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and	Yes
(f)	wiring to allow a potential illumination level of at least 300 lux	Yes

Bathroom: (cl 9)	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,	Yes
(b)	a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,	Yes
(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,	Yes
(d)	a wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,	Yes
(e)	a double general power outlet beside the mirror	Yes
	<i>The requirement under item (c) does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.</i>	

Toilet: (cl 10)	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.	Yes
Surface finishes: (cl 11)	Balconies and external paved areas must have slip-resistant surfaces	Yes
Door hardware: (cl 12)	Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299	Yes
Ancillary items: (cl 13)	Switches and power points must be provided in accordance with AS 4299	Yes
Living room and dining room: (cl 15)	A living room in a self-contained dwelling must have:	
	(a) a circulation space in accordance with clause 4.7.1 of AS 4299, and	Yes
	(b) a telephone adjacent to a general power outlet.	Yes
	A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux	Yes
Kitchen: (cl 16)	A kitchen in a self-contained dwelling must have:	
	(a) a circulation space in accordance with clause 4.5.2 of AS 4299, and	Yes

	(b) a width at door approaches complying with clause 7 of this Schedule, and	Yes
	(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),	Yes
	(ii) a tap set (see clause 4.5.6),	Yes
	(iii) cooktops (see clause 4.5.7), except that an isolating switch must be included,	Yes
	(iv) an oven (see clause 4.5.8), and	Yes
	(d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and	Yes
	(e) general power outlets:	Yes
	(i) at least one of which is a double general	Yes

	power outlet within 300 millimetres of the front of a work surface, and	
	(ii) one of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed	Yes
Access to kitchen, main bedroom, bathroom and toilet: (cl 17)	In a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located on the entry level	Yes
Laundry: (cl 19)	A self-contained dwelling must have a laundry that has:	
	(a) a width at door approaches that complies with clause 7 of this Schedule, and	Yes
	(b) provision for the installation of an automatic washing machine and a clothes dryer, and	Yes
	(c) a clear space in front of appliances of at least 1,300 millimetres, and	Yes
	(d) a slip-resistant floor surface, and	Yes
	(e) an accessible path of travel to any clothes line	Yes



	provided in relation to the dwelling	
Storage for linen: (cl 20)	A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299	Yes

## 8.1.15 Standards for self-contained dwellings that cannot be used to refuse development consent [Clause 50]

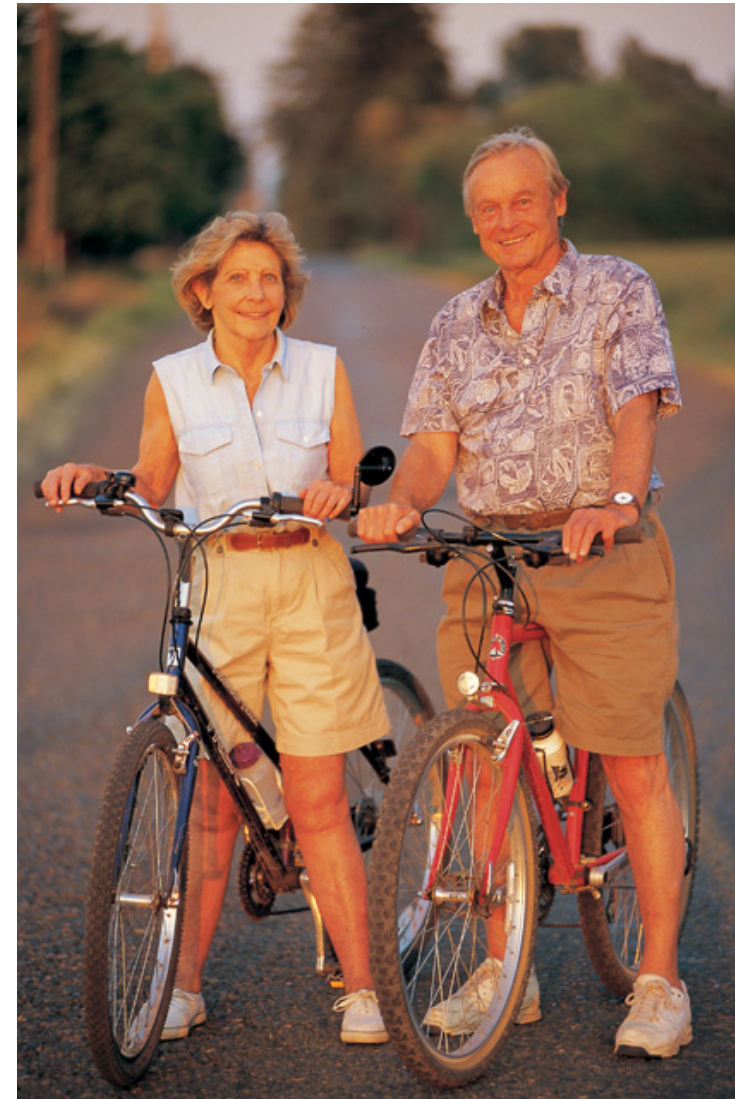
The following table outlines the standards that cannot be used by councils to refuse development consent for self-contained dwellings as set out in Clause 50 of the SEPP Seniors.

**Table 8 Standards that cannot be used for refusal for self-contained dwellings**

Development Standard	Required	Proposed	Complies
Building Height: (cl 50(a))	8m or less (to eaves)	Max. to roof 4.41m,	Yes
Density and Scale: (cl 50(b))	Floor Space Ratio 0.5:1 or less	0.1:1	Yes
Landscaped Area: (cl 50(c))	Minimum 35m <sup>2</sup> per dwelling	Varying but over 35m <sup>2</sup>	Yes

Deep Soil Zone: (cl 50(d))	Minimum 15% of area of site	The total development area is 44 129 sq. metres and there is 98,550 sq. metres of the site that will not be built on, paved or otherwise sealed. That equates to over 55% of the site being deep soil zone.	Yes
	Minimum two thirds to be preferably located at rear of site	Over 2/3 is located at the rear of the site.	Yes
	Minimum dimension 3m	Substantial areas of the deep soil zones are in excess of 3m in width.	Yes
Solar Access: (cl 50(e))	70% of living areas & main private open space to receive minimum 3 hrs sunshine between 9 am and 3 pm at mid-winter	Solar access complies with this requirement. 70% of the dwellings within the development receive a minimum of 3 hours sunshine between 9.00am and 3.00pm at mid-winter. Most dwellings face north.	Yes
Private Open	Ground level:		

Space: (cl (50(f)))	Minimum 15m <sup>2</sup> per dwelling	All units have 15.5 m <sup>2</sup> of private open space.	Yes
	One area minimum 3m x 3m, accessible from living area	Complies.	Yes
	Upper level/s:		
	1 bedroom:		NA
	Minimum 6m2	N/A	NA
	Minimum dimension 2m	NA	NA
	2 or more bedrooms:	NA	NA
	Minimum 10m2	NA	NA
Car parking: (cl 50(h))	Minimum 1 car parking space for each 5 dwellings	The development proposes 1 garage for each dwelling.	Yes



## 8.2 Seniors Living Policy Urban Design Guidelines for Infill Development

The *Senior Living Urban Design Guidelines for Infill Development* were prepared to guide the design and assessment of development applications for infill development under SEPP Seniors. The following is an assessment of the proposal against those guidelines:

**Table 9 Senior Living Urban Design Guidelines for Infill Development**

RESPONDING TO CONTEXT
<p>A site analysis report and plan has been prepared for the development and formed the basis of the site layout and design. The site analysis report and plan had regard to:</p> <ul style="list-style-type: none"> <li>Existing streetscape elements and development pattern;</li> <li>Patterns of driveways and vehicle crossings;</li> <li>Existing vegetation and natural features;</li> <li>Building and open space patterns of adjacent lots; and</li> <li>Potential impacts on privacy for and overshadowing of adjacent lots.</li> </ul> <p>Overall, it is considered, for the reasons outlined in this report, the proposal responds to the site context.</p>

SITE PLANNING AND DESIGN		
Objectives	Assessment of Compliance	
	To minimise the impact of new development on neighbourhood character.	The development will blend with the mix of existing one and two-storey development in Mullaway. The proposal will use similar building materials to the surrounding house stock.
	To retain existing natural features to the site that contribute to neighbourhood character.	Although trees are required to be removed as part of the proposal, this site will be part of a Biobanking agreement. In addition, the proposal retains a significant proportion of the existing vegetation. That coupled with the proposed landscaping will contribute to retaining the neighbourhood character.
	To provide high levels of amenity for new dwellings.	The new dwellings are well designed with private open space that exceeds the minimum requirements. As such, it is considered that a high level of amenity has been provided for all new dwellings.
	To maximise deep soil and open space for mature tree planting, water production and residential amenity.	Deep soil zones and landscaping exceed requirements and will assist in reducing stormwater flows.

Design principles and better practice	To minimise the physical and visual dominance of car parking, garaging and vehicular circulation.	Significant landscaping is provided on site and the colours provided for the garages will blend into the surrounding landscape.
	To provide housing choice through a range of dwelling sizes.	Incorporating a range of 2 and 3 bedroom dwellings will provide housing choice for seniors that require smaller dwellings.
	<b>Assessment of Compliance</b>	
	Site design should optimise internal amenity and minimise impacts on neighbours	Internal amenity will be high due to design and landscaping with minimal impact on the neighbours.
	Maximise the number of dwellings with frontage to a public street	Eight dwellings will have frontage to Darkum Road.
	Orientate dwellings to maximise solar access to living areas and private open space	All dwellings have solar access that meets the standard.
	Maintain existing patterns and character of gardens and trees	Appropriate trees will be used to replace those removed and perimeter gardens will be used. Landscaping and deep soil zones exceed requirements. The development will provide landscaping that is consistent with the existing character of the neighbourhood.

	Improve amenity by increasing the proportion of the site that is landscaped area	A large portion of the site will be landscaped and planted, including within the front setback. The quality of plantings and landscape design will substantially improve on the visual amenity of the site.
	Provide deep soil zones for absorption and run-off and to sustain vegetation	Deep soil zones have been provided throughout the development for absorption of run-off and to sustain vegetation.
	Minimise the impact of higher site cover on stormwater run-off by using semi-pervious materials and on-site detention to retain stormwater for reuse	On-site detention would be provided in accordance with Council requirements.
	Reduce the amount of space occupied by driveways and garages	Driveways and car parking areas occupy only a small proportion of the site area. This represents approximately only 9% of the site.
	<b>Assessment of Compliance</b>	
Rules of thumb	The proportion of the site given to landscaped area and deep soil should be increased in less urban areas, on large lots, and in areas already characterised by a high proportion of open space and planting	The site is in an urban area and provides landscaping and deep soil zones in excess of requirements.



IMPACTS ON STREETSCAPE		
Assessment of Compliance		
Objectives	To minimise impacts on the existing streetscape and enhance its desirable characteristics	The proposal enhances the streetscape by offering a well designed buildings that are sympathetic with the scale and proportions of existing buildings.
	To ensure that new development is designed and scaled appropriately in relation to the existing streetscape	With the buildings setback and not visible from the streetscape, the scale of the development is consistent with the street and redeveloped sites in the neighbourhood. The fencing and landscaping will assist in respecting the streetscape.
	To minimise dominance of driveways and car park entries in the streetscape	Driveway crossings are minimised with 1 driveway crossing servicing the car parking area.
	To provide a front setback that related to adjoining development	The front setback is consistent with Council's DCP and the neighbouring development.
	Assessment of Compliance	

Rules of the Development	Responding to the desired streetscape character through sympathetic design.	The high quality architecture is sympathetic to the location and orientation of the lot.
	Reduce the visual bulk of the development	Bulk is minimised by appropriately spacing the units across the lot.
	Retain existing trees and planting where possible	Vegetation is proposed to be removed as part of a Biobanking Agreement however, as much vegetation as possible is proposed to be retained. In addition, extensive landscaping that is more suitable to the development would be provided to compensate.
	Plant in front setbacks and road reserves and in front of fences to reduce their impact	Planting is proposed within the front setback to soften the impact of the built form.
	Design the threshold between private and public space	The threshold between private and public space is defined with fencing and landscaping.
	Design dwellings at the front of the site to address the street	The eight dwellings at the front of the site would face the street.
	Minimise the impact of driveways and car parking	Carparking would be provided for each dwelling in the form of a garage.
Assessment of Compliance		

	Respond to council planning instruments that specify the character or desired character for the area	Council's planning instruments do not emphasise a specific character for this area.
	Where there is a consistent front building alignment, new development should not encroach on the front setback	The existing front setback along Darkum Road varies and the proposed 6 m front setback is consistent with the Council requirements.
	Driveways or basement car park entries should not exceed 25% of the site frontage	The driveway and car parking does not exceed 25% of the site frontage
	Garage doors should be set back a minimum of 1m behind the predominant building façade on both the street frontage and common driveways.	The garage doors are sited in front of the buildings. However, they are designed in such a way as not to dominate the streetscape.
<b>IMPACTS ON NEIGHBOURS</b>		

<b>Objectives</b>	<b>Assessment of Compliance</b>	
	To minimise impacts on the privacy and amenity of existing dwellings	The one storey buildings will be located within site and will be set back significantly from surrounding dwellings to the north and north east. This will assist in managing privacy and no unreasonable impacts are expected. Furthermore, there are few windows located on the north and north east boundary. This will also limit any loss in privacy.
	To minimise overshadowing of existing dwellings and private open space by new dwellings	Neighbours views will not be disrupted. Furthermore there is a sufficient buffer along the north and north east boundary to the adjacent dwellings to minimise shadowing.
	To retain neighbours' views and outlook to existing mature planting and tree canopy	The majority of surrounding dwellings have an outlook to the north and east. The proposal will not impact on any of these views. The removal of the significant trees will be minimised by significant landscaping.
	To reduce the apparent bulk of development and its impact on neighbouring properties	Using several structures and separating them with internal pathways and the provision of private open spaces will reduce the bulk of the buildings.

Design principles and better practice	To provide adequate building separation	Adequate building separation is provided to maintain solar access, reduce the bulk of the dwellings and enhance cross ventilation opportunities.
	<b>Assessment of Compliance</b>	
	Design the relationship between buildings and open space to be consistent with the existing patterns in the block	The development proposes a bulk, scale and pattern of development that is consistent with the existing residential character of the locality.
	Protect neighbours' amenity by carefully designing the bulk and scale of the new development to relate to the existing residential character	Vegetation, pathways and driveways would be used to provide a buffer between the development and adjoining dwellings to provide privacy.
	Reduce the visual bulk of roof forms by breaking down the roof into smaller elements	Roof lines within the development are consistent with surrounding dwellings, and have been broken down into a variety of elements.
	Reduce the impact of unrelieved walls on narrow side and rear setbacks by limiting the length of the walls built to these setbacks	No unrelieved walls greater than 8m in height are proposed. All unrelieved walls are setback a minimum of 1.5m from the side and rear boundary which is considered acceptable.

Use vegetation and mature planting to provide buffer between new and existing dwellings to provide privacy and shade	Sufficient landscaping will be provided to provide a buffer between the proposal and existing development within the locality. Small plantings are proposed between the driveway and the southern boundary, while pockets of plantings are proposed adjacent to the both the northern and eastern boundaries.
Protect sun access and ventilation to living areas and private open space of neighbouring dwellings by ensuring adequate building separation	The development would have a limited impact on the solar access of adjoining dwellings and open spaces.
Design dwellings so that they do not directly overlook neighbours' private open space or look into existing dwellings	The proposed dwellings would not directly overlook neighbouring properties and solar access is preserved.
Provide planting and trees between driveways and fences to screen noise and reduce visual impacts	Pockets of plantings are proposed adjacent to the northern, eastern, and southern boundaries. Internal fences are also lined with plantings. Plantings in the front set back are also proposed to screen views from Darkum Road.
Position driveways so as to be a buffer between new and existing adjoining developments	The driveway enters the site follows a north-westerly direction. It will be landscaped to reduce visual impacts and screen noise from neighbours.

Rules of thumb	Assessment of Compliance	
	Where side setbacks are less than 1.2m, a maximum of 50% of the development should be built to this alignment	The minimum side setback of the proposal is on building 14 is 0.9m. Only one side of the building is built to this alignment and therefore the proposal complies with this requirement.
	The length of unrelieved walls along narrow side or rear setbacks should not exceed 8m	No unrelieved walls greater than 8m are proposed.
	Living rooms of neighbouring dwellings should receive a minimum 3 hours direct sunlight between 9:00-3:00 in mid-winter neighbouring dwellings	Solar access to neighbouring properties complies with the relevant requirements.
	Solar access to the private open space of neighbouring dwellings should not be unreasonably reduced	The development would have a limited impact on the solar access of adjoining dwellings and open spaces
INTERNAL SITE AMENITY		
Objectives	Assessment of Compliance	
	To provide quality useable private and communal open spaces for all residents	The development will provide generous private open space with balconies and garden patio areas proposed.

Design principles and better practice	To provide dwellings that have distinct identity and safe entries	Each dwelling has a clear and easily identifiable front entrance.
	To provide safe and distinct pedestrian routes to all dwellings and communal facilities	Distinct pedestrian paths are proposed on site in order to limit the contact between pedestrians and vehicles and provide for safe movement around the site.
	To ensure adequate solar access to living areas and private open space	Living areas and private open spaces have been sited to ensure adequate solar access.
	To reduce the dominance of parking, garaging and vehicular circulation space on the internal character of new development	Car parking is located and sized for minimal impact on the internal character of the development.
	Assessment of Compliance	
Design principles and better practice	Design dwellings to maximise solar access to living areas and private open spaces	Living areas and private open spaces are orientated to the north in order to maximise solar access.
	In villa or townhouse style development, provide dwellings with a sense of individual identity	All ground floor dwellings are to have their own front gate and clothes line. Dwelling entries are well defined, yet private and safe.
	Design dwelling entries so that they provide a sense of address and provide a buffer between private and public space	All dwellings directly address the road.



Locate habitable rooms (especially bedrooms) away from driveways, parking areas and pedestrian paths	Habitable rooms do not face driveways etc.
Avoid large uninterrupted areas of hard surfaces and screen parking from views and outlooks from dwellings	The only hard surfaces are paved courtyards which will be treated with architectural paving. The driveway area has been minimised. Car parking and the driveway will be screened and softened through the use of plantings.
Provide distinct and separate pedestrian and vehicular circulation on the site	Distinct and separate pedestrian and vehicular circulation is provided on the site.
Ensure that adequate consideration is given to safety and security by minimising opportunities for concealment and by clearly defining the threshold between public and private space	Security issues have been considered in design and are balanced against amenity and privacy.  Fencing is to be used to define the threshold between public and private space.
Provide private open space that is generous in proportion, adjacent to the main living areas and is orientated to provide good solar access	Private open space is provided for all dwellings that exceeds or meets the requirements, is adjacent to the main living areas and is orientated to provide good solar access.
Provide communal open space that is accessible to all residents	A communal Club room will be provided which exists at the centre of the site.

	Treat common service facilities such as garage collection areas and switchboard to reduce their visual prominence to the street or to any private or communal open space	Individual Garbage bins will be provided with the site manager collecting the bin on a regular basis.
Rules of thumb	<b>Assessment of Compliance</b>	
	Separation of 1.2m should be achieved between habitable rooms and driveways or car parks of other dwellings (this can be reduced if adequate screening is provided)	A separation of at least 1.2m has been achieved between habitable rooms and driveways or car parks.

## 8.3 Commonwealth Legislation

### 8.3.1 EPBC Act

The Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) is the Commonwealth Government's key piece of environmental legislation. The aims of the EPBC Act are:

- ▶ Provide for the protection of the environment, especially matters of national environmental significance;
- ▶ Conserve Australian biodiversity;
- ▶ Provide a streamlined national environmental assessment and approvals process;
- ▶ Enhance the protection and management of important natural and cultural places;
- ▶ Control the international movement of plants and animals (wildlife), wildlife specimens and products made or derived from wildlife; and
- ▶ Promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources.

The EPBC Act requires the Federal Environment Minister's approval for an action that will, or is likely to, have a detrimental or adverse impact on a matter of National Environmental Significance (NES) or on Commonwealth land, unless the action is exempt. Under the EPBC Act, actions that are likely to have a significant impact on a matter of NES are subject to a rigorous referral, assessment, and approval process. An 'action' includes a project, development, undertaking, activity, or series of activities.

Matters of NES currently include World Heritage properties, RAMSAR wetlands, nationally threatened species and ecological communities, migratory species, Commonwealth marine areas, nuclear actions and national heritage places.

The proposal will not impact on any matters of NES.

## 8.4 Environment Planning and Assessment Act 1979

### 8.4.1 Section 5

Section 5 of the EP&A Act sets out the objects of the Act. These are as follows:

To encourage:

- ▶ *The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment;*
- ▶ *The promotion and co-ordination of the orderly and economic use and development of land;*
- ▶ *The protection, provision and co-ordination of communication and utility services;*
- ▶ *The provision of land for public purposes;*
- ▶ *The provision and co-ordination of community services and facilities;*
- ▶ *The protection of the environment, including the protection and conservation of native animals and plants, including threatened*

species, populations and ecological communities, and their habitats;

- ▶ Ecologically sustainable development;
- ▶ The provision and maintenance of affordable housing; and
- ▶ To promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- ▶ To provide increased opportunity for public involvement and participation in environmental planning and assessment.

The proposal satisfies the objects of the Act as:

- ▶ The proposal will implement strategies to ensure that construction and operational stages of development will minimise consumption of non-renewable resources and the emission of greenhouse gases;
- ▶ The proposal seeks consent to construct much needed seniors housing within the Coffs Harbour area. This will assist in the provision of community services through improving seniors housing choice and availability in the locality, and associated support initiatives;
- ▶ The significant natural characteristics of the subject site will be retained and proposed building works and use of the site will be complementary to the vegetated nature of the site; and
- ▶ The availability of utility services have been considered in the application. There is sufficient capacity in the existing systems to cater to demand likely to be generated by the proposed use.

## 8.5 Section 79C Matters for Consideration

This Statement of Environmental Effects (SEE) addresses all of the heads of consideration of Section 79C (1) of the EP &A Act 1979. Table 10 provides a summary of these issues and where each of these issues are addressed in the DA.

**Table 10 Matters for consideration under Section 79C of the EP &A Act: Relevant Matters for Consideration**

*Section 79 C (1) - In determining a development application , a content authority is to take into consideration such of the following matters as are of relevant to the development the subject of the development application*

### **(a) (i) the provisions of any Environmental Planning instrument (EPI)**

Primary Matters	Reference in SEE
State Environmental Planning Policy	Section 8.1
Regional Environmental Plans	Section 8.6
Coffs Harbour Local Environmental Plan	Section 8.7

### **(a) (ii) the provisions of any draft environmental Planning instrument (EPI)**

Primary Matters	Reference in SEE
Draft State Environmental Planning Policy	N/A
Regional Environmental Plans	Section 8.6

Draft Local Environmental Plan	N/A
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**(a) (iii) – any Development Control Plan**

Primary Matters	Reference in SEE
Development Control Plan	Section 8.8

**(a) (iv) any matters prescribed by the regulations**

Primary Matters	Reference in SEE
N/A	N/A

**(a) (v) any coastal zone management plan**

Primary Matters	Reference in SEE
N/A	N/A

**(b) The likely impacts of the development**

Primary Matters	Reference in SEE
Context and Setting	Section 3
Access , Traffic and Transport	Section 6.8 and 7.5
Utilities	Section 8.1.3
Heritage	Section 7.14

Flora and Fauna	Section 7.2
Bushfire	Section 7.3
Water Quality	Section 8.1.3
Waste	Section 8.1.13
Noise	Section 7.3
Safety, Security and Crime Prevention	Section 8.1.11
Social Impact in the Locality	Section 4
Cumulative Impacts	There are not likely to be any cumulative impacts as a result of this proposal.

**(c) The suitability of the site for the development**

Primary Matters	Reference in SEE
Does the proposal fit into the locality?	Section 7.9 and 7.11
Are the site attributes conducive to development?	Section 3



**(d) Any submissions made in accordance with this Act or Regulation**

Primary Matters	Response
Public Submissions	Any submissions likely to be received as a result of this proposal can be addressed by this report.

**(e) The public Interest**

Primary Matters	Response
Federal , State and Local government Interests and Community Interests	As the proposal would provide urgently needed seniors housing in the area, the proposal is considered to be in the public interest.

## 8.6 North Coast Regional Environmental Plan

The North Coast Regional Environmental Plan is now deemed to be a State Environmental Planning Policy.

The redevelopment of this site for seniors housing is consistent with the objectives of the REP in relation to providing a range of adequate, affordable and suitable housing to meet the needs of the region's population.

## 8.7 Coffs Harbour City Local Environment Plan (LEP) 2000

The site is within the 1A Rural Agriculture zone under the *Coffs Harbour Local Environment Plan (CHLEP) 2000*.

The aim of 1A Rural Agriculture zone is;

- *To provide for the preservation of existing or potentially productive agricultural land.*

The objectives of 1A Rural Agriculture zone are:

- *to enable development which is compatible with agricultural practices, and with the amenity and character of the rural environment of the area.*
- *to enable development that can be adequately serviced.*

The development proposes a bulk, scale and pattern of development that is consistent with the existing residential character of the locality adjacent to the site within the residential neighbourhood of Mullaway. The development has been designed in accordance with the SEPP Seniors and no significant adverse impacts are expected and as such it is considered that the density is reasonable in this instance. It is adequately serviced and it is not considered prime agricultural land. The land is not currently used for agricultural purposes. The proposal is therefore justifiably consistent with the objectives of the zone.

Under the Coffs Harbour LEP 2000 the proposal would be defined as seniors housing which is defined as:

*“seniors housing means residential accommodation that consists of:*

- (a) a residential care facility, or*
- (b) a hostel, or*

- (c) a group of self-contained dwellings, or
  - (d) a combination of these, and that is, or is intended to be, used permanently for:
  - (e) seniors or people who have a disability, or
  - (f) people who live in the same household with seniors or people who have a disability, or
  - (g) staff employed to assist in the administration of the residential accommodation or in the provision of services to persons living in the accommodation,
- but does not include a hospital"

Seniors housing is prohibited within the Rural 1(a) Zone under the Coffs Harbour City LEP 2000.

However, the proposal is consistent with the Site Compatibility Certificate issued for the site. It is considered that the proposal is compatible with adjacent residential development. Overall, the development is considered consistent with the objectives of the zone. In saying this, the seniors living development has been developed in accordance with SEPP Seniors and is permissible in accordance with Clause 24 of this SEPP.

## **Clause 11 Tree preservation**

The objective of this clause is;

- ▶ To enable preservation of trees to maintain the amenity of the City.

The clause states that:

- (1) *The Council may make, revoke or amend a tree preservation order that identifies trees to which this clause applies.*

- (2) *A person shall not carry out or permit or direct or cause any ringbarking, cutting down, topping, lopping, removing or wilful destruction of any tree or trees to which a tree preservation order applies without development consent. This does not apply to or in respect of:*

- (a) *action required by regulations under the [Electricity Safety Act 1945](#) or the [Electricity Supply Act 1995](#), or*

- (b) *plants declared to be noxious weeds under the [Noxious Weeds Act 1993](#), or*

- (c) *trees identified for removal under a bush fire management plan available from the office of the Council.*

- (3) *A tree preservation order, and any revocation or amendment of such an order, does not have effect until it has been published in a newspaper circulating in the area of the City of Coffs Harbour.*

The proposal would require the removal of some of the existing vegetation at the site. The removal of this vegetation has been considered in the Biobanking Assessment (GHD, 2011) along with the amount of biodiversity credits required to offset this impact. The area secured to offset the impact would be subject to a Biobanking Agreement that would conserve and enhance the biodiversity values of the biobank site in perpetuity and ultimately result in a positive environmental outcome.

## **Clause 12 Koala habitat**

The objective of this clause is

- *To provide for the protection of koalas and their habitat.*

The clause states that:

*Consent shall not be granted to development on land to which this Plan applies unless the development is in accordance with a koala plan of management.*

CHCC koala habitat mapping indicates that the site consists of secondary koala habitat. The site investigations have confirmed the presence of preferred koala trees at the site, including Tallowwood, Forest Red Gum, Blackbutt and Broad-leaved Paperbark. The proposal would require the removal of some of the koala habitat at the site. The removal of this vegetation has been considered in the Biobanking Assessment (GHD, 2011) along with the amount of biodiversity credits required to offset this impact. The area secured to offset the impact would be subject to a Biobanking Agreement that would conserve and enhance the biodiversity values of the biobank site in perpetuity and ultimately result in a positive environmental outcome.

## **Clause 14 Services**

The objective of this clause is

- To ensure that all development has adequate water and sewage services.

The clause states that:

*Consent shall not be granted to the carrying out of any development on land to which this Plan applies unless:*

3. *(a) a water supply and facilities for the removal or disposal of sewage and drainage are available to that land, or*
4. *(b) arrangements satisfactory to the consent authority have been made for the provision of that supply and those facilities, or*

5. *(c) the consent authority has formed the opinion the development proposed does not require that supply or those facilities.*

The site has access to all essential services, including water, electricity, sewer and telecommunications. All these services have the capacity to accommodate the proposal and only minor augmentation would be required to service the development.

## **8.8 Local Development Control Plans (DCP)**

The following DCP's are applicable to the subject site:

- Access and Mobility Development Control Plan
- Rural Lands Development Control Plan
- Waste Management Development Control Plan

### **8.8.1 Access and Mobility Development Control Plan**

The objectives of the Access and Mobility Development Control Plan (DCP) are:

- To make people aware of the *Disability Discrimination Act 1992*;
- To increase community awareness of mobility handicaps affecting sections of the community and of the need for barrier free environmental design.
- To ensure new development is accessible and usable for all, including those peoples with disabilities, to facilitate full and independent participation in community life.
- To seek upgrading of existing buildings to the standards outlined in this plan; and

- To provide developers with clear guidance as to legal requirements and Council policy for access and mobility.

Part 3 of the DCP outlines the design requirements for new buildings. The DCP states that all new buildings must comply with the BCA requirements for access by building class including car parking requirements.

As the proposal is for a SEPP Seniors development and compliance with these standards is considered to ensure compliance with Council's DCP.

### 8.8.2 Rural Lands Development Control Plan

This DCP applies to land zoned 1A Rural Agriculture under the *Coffs Harbour Local Environment Plan (CHLEP) 2000*.

This DCP does not have specific requirements for seniors housing, the density and design of the development has been undertaken in accordance with these specific guidelines.

### 8.8.3 Waste Management Development Control Plan

The objectives of the DCP is to minimise on going waste collection and ensure waste management systems are compatible with collection services.

Garbage collections from the development would be undertaken by waste contractors. The development would have a range of waste requirements (general waste, recyclables, green waste, medical waste, bulky goods) for the different functions operating from the site including waste generated by the residents.

A garbage storage area would be located near the maintenance shed providing a storage area for a skip bin. Each dwelling would be provided with Council bins and the site manager would collect the

bins on a regular basis. The garbage storage area would be well screened with landscaping around its perimeters.

## 8.9 Other Applicable Design Guidelines and Planning Policies

### 8.9.1 North Coast Urban Design Guidelines

North Coast Urban Design Guidelines (Department of Planning 2009) is a resource document to assist in advancing quality urban design on the North Coast of NSW. As a supporting document to both the Mid North Coast and Far North Coast regional strategies, it aims to manage the regions' predicted growth in a way that ensures new development is designed to reflect and enhance the unique natural, cultural, visual and built character values of North Coast towns and villages. It assists councils, industry and local communities by providing both clear guidelines and examples of a range of appropriate built designs.

Coffs Harbour is identified as a major town within the document. The proposal is consistent with the settlement consolidation of major towns in that it concentrates new development in the town core in preference to outward expansion.

### 8.10 Section 94 Contributions

There are a number of Section 94 Plans applicable to the subject site. Any contributions applicable to the subject site would be calculated and included as a condition of consent.



## 9. Conclusion

The level of assessment and consultation undertaken during the preparation of this proposal has had a significant influence in guiding and shaping the outcome of the proposal.

The development has a complex relationship with the biophysical environment. During the preliminary design process, significant vegetation was identified as being worthy of retention and enhancement and thus it represented a significant constraint to the development potential of the site. As much vegetation as possible has been retained and enhanced with extensive landscaping. The impact from removing the vegetation has been assessed and would be offset via a Biobanking agreement, which would result in a positive biodiversity outcome in perpetuity.

The proposal has been assessed under SEPP Seniors. The proposed dwellings are appropriately positioned on site to maximise solar access and minimise overshadowing and privacy impacts.

Overall, it is considered that the proposal is appropriate within the locality, and is substantially compliant with the relevant State and local planning instruments. The development will respond well to the site and its surroundings and will make a positive contribution to the townships of Mullaway.

This report has demonstrated that the proposal has acceptable environmental impacts. It has also demonstrated how impacts are capable of being managed to an acceptable level.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site, complies with relevant

legislation, is unlikely to result in adverse impacts in the locality and is recommended for approval.

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*This Seniors Living Development Statement of Environmental Effects ("Report"):*

- 1. has been prepared by GHD Pty Ltd ("GHD") for John Hannaford;*
- 2. may only be used and relied on by John Hannaford;*
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- were limited to those specifically detailed in this Report.*

*The opinions, conclusions and any recommendations in this Report are based on assumptions made by GHD when undertaking services and preparing the Report ("Assumptions"), including (but not limited to):*

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## Document Status

Rev No.	Author	Reviewer		Approved for Issue		
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