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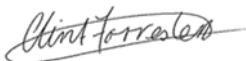

3D Render prepared by EJE Architecture

STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations and Additions to Raymond Terrace Bowling Club
and
Construction of a Six-Storey 50 room Hotel**
Including 5 Serviced Apartments, Restaurant, Bar, Swimming Pool, Gym,
Function Space and Office Spaces.
for
Raymond Terrace Bowling Club

M&P CONTACT:
Clint Forrester
Senior Planner

P (02) 4926 1388
M 0423 574 400
c.forrester@monteathpowys.com

Our Ref:	22/0380
Project	Alterations and additions to Raymond Terrace Bowling Club and construction of a six-storey 50 room hotel including 5 serviced apartments, restaurant, bar, swimming pool, gym, function space and office spaces.
Client	Raymond Terrace Bowling Club Cooperative Limited
Author	Clint Forrester Senior Planner BDevStud, MPIA
Certification	<i>I hereby certify that this Statement of Environmental Effects has been prepared in accordance with the requirement of the Environmental Planning & Assessment Act 1979 and its associated Regulations. I certify that to the best of my knowledge the information contained within this report is neither false nor misleading.</i>
Signature	
Reviewer	Lachlan Sims Principal Planner BURP, MPIA
Signature	

This report was prepared by Monteath & Powys Pty Ltd.

Document Control					
Revision	Date	Revision Details	Author	Verifier	Approver
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1. INTRODUCTION

This Statement of Environmental Effects (SOEE) has been prepared on behalf of *Raymond Terrace Bowling Club Cooperative Limited* by *Monteath & Powys Pty Ltd*. This SOEE is to accompany a Development Application to Port Stephens Council (Council) seeking development consent for alterations and additions to Raymond Terrace Bowling Club and the construction of a six-storey 50 room hotel including 5 serviced apartments, restaurant, bar, swimming pool, gym, function space and office spaces (the Proposal) under the provisions of the *Port Stephens Local Environmental Plan 2013* and the *Port Stephens Council Development Control Plan 2014*.

The Proposal is development permitted with consent in the 'RE2' Private Recreation zone and is compliant with the objectives of the planning controls and design requirements.

The SOEE addresses the matters referred to in Section 4.15(1) and Section 6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the matters required to be considered by the consent authority.

The purpose of this SOEE is to:

- Describe the existing environment to which the Development Application relates and the surrounding area's character.
- Describe the Proposal.
- Outline the statutory planning framework within which the Development Application is assessed and determined.
- Assess the Proposal in considering the relevant heads of consideration (Section 4.15(1) of the EP&A Act).

1.1 OWNER AND SITE DETAILS

The Applicant:

Raymond Terrace Bowling Club Cooperative Limited
C/- Monteath & Powys
PO Box 2270
DANGAR NSW 2309

Contact:

Clint Forrester
Phone: 02 4926 1388
Mobile: 0423 574 400

The Owner(s):

The subject site is legally identified as Lot 23 DP 1088281 and Lot 1 Section 23 DP 758871 and is owned by Raymond Terrace Bowling Club Cooperative Limited.

1.2 PROJECT HISTORY

The Development Application has been subject to a Pre-Development Application meeting with Council, held on 31 January 2023. On preliminary review of the Proposal, Council noted that the development is a positive design response that would revitalise the locality and improve the sites presentation to the street front. The bulk and scale appeared to be compatible within the locality, as it is in keeping with the 2-3 storey neighbouring health services building. The covered bowling greens are an improvement on the current shade sail structures. Communal space including the pool, garden area and gym are positive inclusions. Landscaping at the street front was encouraged.

The final design and Development Application of the Proposal has taken into consideration matters raised by Council which includes the preparation of a Statement of Heritage Impact, Noise Report, Preliminary Public Art details, Bushfire Report, BCA Report, Flood Assessment, Stormwater Management Plan, Traffic and Parking Assessment, Waste Management Plan and Plans of Management for the Bowling Club and Hotel. Further details of these assessments are provided within the SOEE.

2. PROJECT DETAILS

2.1 LOCATION AND CONTEXT

The subject site is located in Raymond Terrace within the Port Stephens Local Government Area, refer to **Figure 1**. The address of the subject site is 2 Jacaranda Avenue and 1 Swan Street, legally identified as Lot 1 Section 23 DP 758871 and Lot 23 DP 1088281 respectively.

The subject site is a developed site consisting of a raised single storey building, three (3) bowling greens and a sealed carparking which operates as a Registered Club known as Raymond Terrace Bowling Club.

Raymond Terrace Bowling Club has a long history within the suburb of Raymond Terrace with the first club established on the subject site during the 1940's. The Bowling Club has undergone numerous renovations and extensions over its existence to keep it current and growing.

The subject site is located on the corner of Port Stephens Street and Swan Street covering an area of approximately 1.2ha, with access to these streets along with access from Jacaranda Avenue. The subject site is surrounded by a mix of commercial and residential development including a two (2) storey Medical Centre on the corner of Swan Street and Jacaranda Avenue. Refer to **Figure 2** and **Figure 3**.

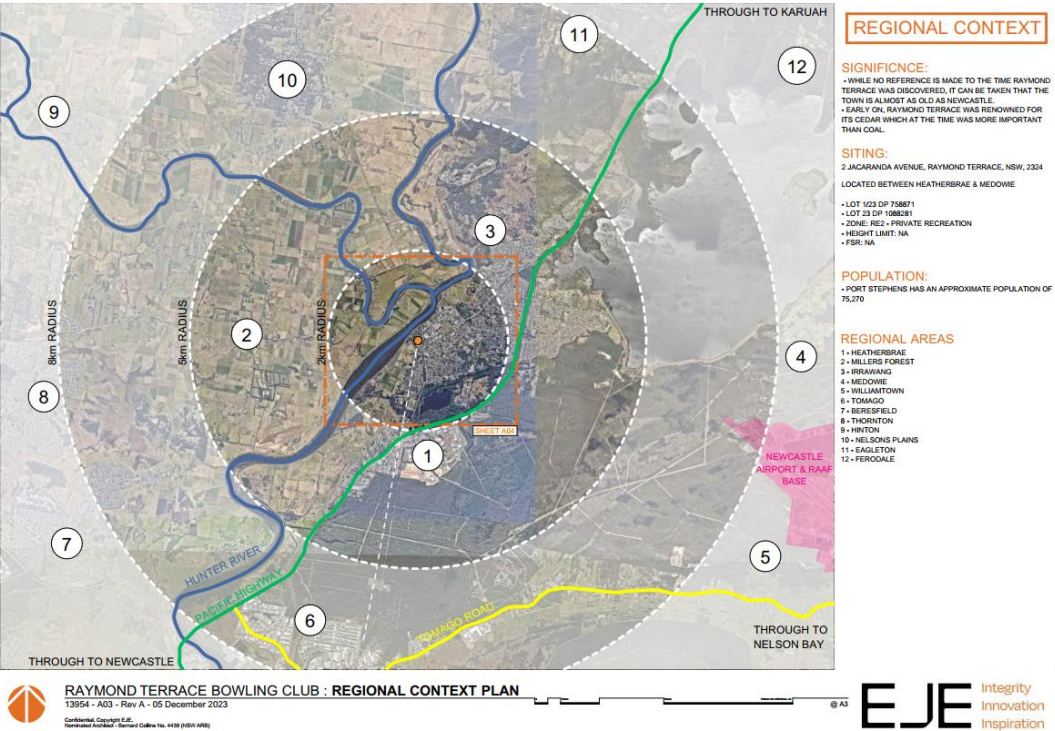


Figure 1 - Regional Context (Source: EJE Architecture, 2023, Drawing A03-Rev-A)

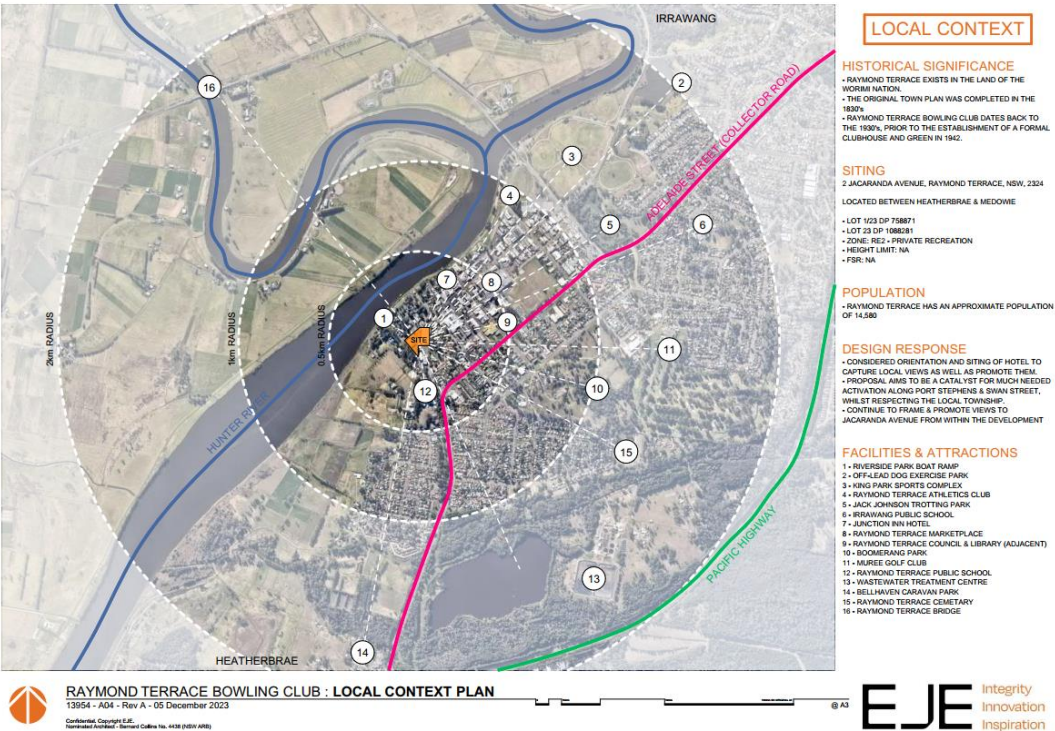


Figure 2 - Local Context (Source: EJE Architecture, 2023, Drawing A04-Rev-A)

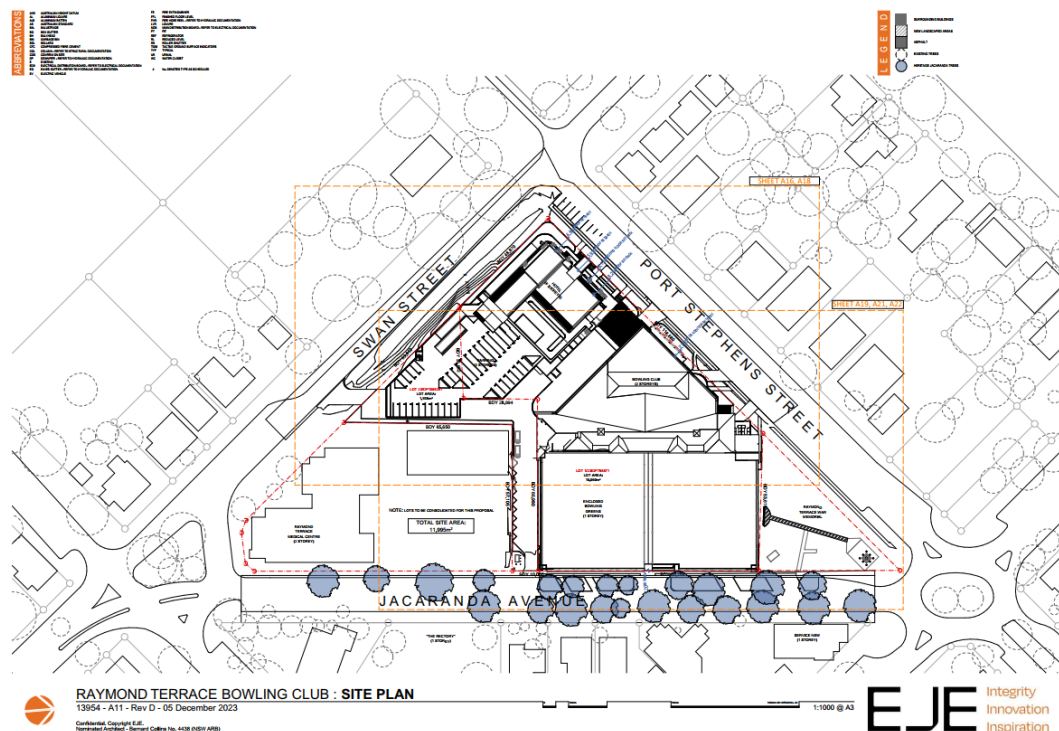


Figure 3 - Subject Site Plan (Source: EJE Architecture, 2023, Drawing A11-Rev-D)

2.2 SITE CONDITIONS

Topography

The subject site elevations range from approximately 2.0m AHD on the western boundary up to 5.2m AHD on the eastern boundary.

Soils and Geology

The subject site is identified as containing Class 2 and Class 4 acid sulfate soils under the *Port Stephens Local Environmental Plan 2013*.

Aboriginal Archaeology and European Heritage

A search on NSW National Parks and Wildlife's Aboriginal Heritage and Information Management Services (AHIMS) was undertaken on 28 November 2023, with no identified Aboriginal sites or places recorded or declared near the subject site.

The subject site is not listed as a Heritage Item or located within a heritage conservation area within the *Port Stephens Local Environmental Plan 2013*.

The subject site is not listed as a State Heritage Item within the NSW State Heritage Inventory.

The subject site is located in proximity to a number of Heritage Items of Local significance listed below:

- Raymond Terrace Heritage Conservation Area
- St John's Anglican Church Group—former school and rectory and former parish hall
- Raymond Terrace War Memorial
- Jacaranda trees (*Jacaranda mimosifolia*)
- St John's Anglican Church group—rectory and Norfolk Island Pine trees (*Araucaria heterophylla*)
- "Roeth House"

Bushfire

The subject site is located on Bushfire Prone Land as per Council's mapping and is classified as Vegetation Buffer.

Flooding

The subject site is affected by mainstream flooding of the Lower Hunter River. Council's flood certificate states that multiple hazard categories present across the subject site, including Low Hazard Flood Fringe Area, Low Hazard Flood Storage Area, High Hazard Flood Storage Area and High Hazard Floodway Area.

Mine Subsidence

The subject site is not identified as being within a Mine Subsidence District.

Road and Public Transport Network

Vehicular access to the subject site is available at the car park entries on Jacaranda Avenue, Port Stephens Street and Swan Street. The Bowling Club is accessed via several local streets being Port Stephens Street, Glenelg Street, Jacaranda Avenue and Swan Street.

The subject site is 200 metres from the nearest Bus Stop at to corner of Port Stephens Street at Glenelg Street where bus routes 136, 137, 141, and 145 operate.

Pedestrian Network

The subject site is provided with a footpath network along Jacaranda Avenue, Port Stephens Street, and part of Swan Street.

Utility Services

Reticulated water, electricity, and telecommunication services are available to the subject site.

Community Facilities and Services

Located within a short distance from the subject site is the Port Stephens Family and Neighbourhood Services (3 Jacaranda Avenue), Raymond Terrace Community Health Service (4 Jacaranda Avenue) and the Raymond Terrace War memorial (1 Jacaranda Avenue).

Surrounding Development

The subject site is surrounded by a mix of commercial and residential development. A brief review of the development is provided below and illustrated in **Figure 4**.

Jacaranda Avenue – East

- Heritage jacaranda trees
- Access road to club parking along southern edge of bowling greens.
- Access road for club deliveries and waste collection.
- Rear access to 'The Rectory'
- Main pedestrian access point to bowling greens
- Raymond Terrace War Memorial (towards the north)
- Service NSW (towards the north)

Port Stephens Street – West

- Main access road to site running north-east to south-west
- Substantial on-street parking to club side
- Access point for on-site club parking
- Primary views from club
- Main pedestrian access point to club entry

Swan Street – South

- Running north-west to south-east
- Access point for club parking adjacent to Medical Centre
- Significantly sized swale running along club side of Swan Street

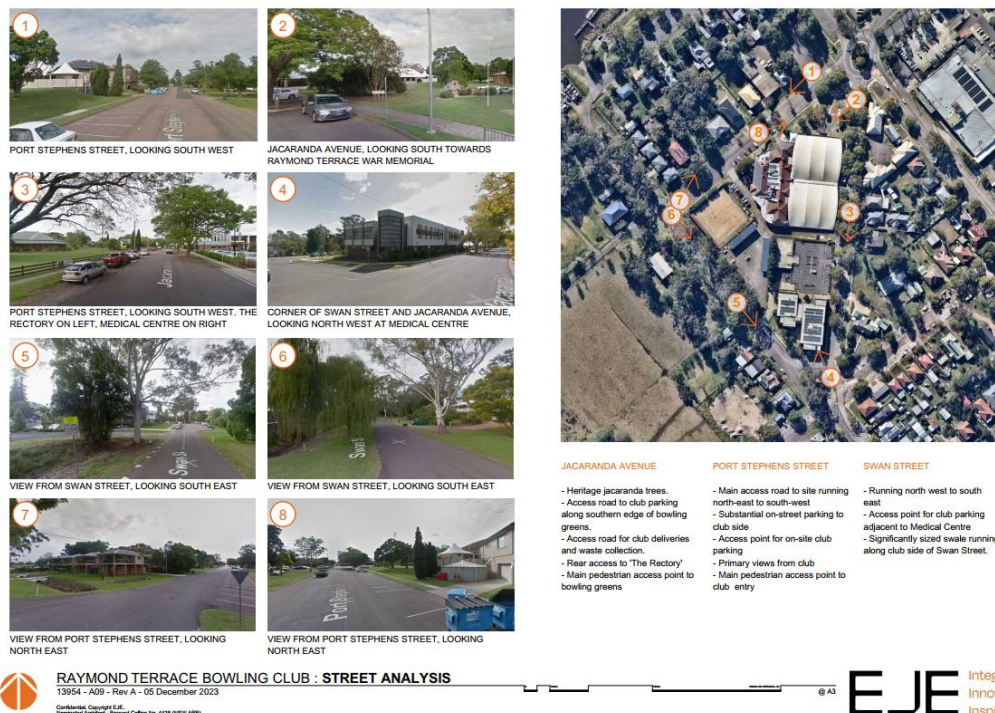


Figure 4 - Street Analysis (Source: EJE Architecture, 2023, Drawing A09-Rev-A)

2.3 APPROVAL PATHWAY

The Proposal is being determined under the provisions of the EP&A Act and is permissible with consent in the 'RE2' Private Recreation zone being compliant with the planning controls of the *Port Stephens Local Environmental Plan 2013*.

It is noted the subject site has existing consent for the use as a registered Club.

The Proposal is development permitted with consent under the *Port Stephens Local Environmental Plan 2013* comprising the following uses:

- Registered clubs
- Hotel or motel accommodation
- Serviced apartments
- Function centres

The Proposal is Integrated Development and will require approval from the Rural Fire Service under section 100B of the *Rural Fires Act 1997* being development on bush fire prone land for a special fire protection purpose.

The Capital Investment Value (CIV) for the project is \$38,554,073. Given the CIV is over \$30 million the development constitutes Regionally Significant Development in accordance with Schedule 6 of the *State Environmental Planning Policy (Planning Systems) 2021*. The Hunter and Central Coast Regional Planning Panel will be assigned as the consent authority.

3. PROPOSAL

Summary

The Proposal is for alterations and additions to Raymond Terrace Bowling Club and the construction of a six-storey 50 room hotel including 5 serviced apartments, restaurant, bar, swimming pool, gym, function space and office spaces. The Proposal will be one (1) development application to be constructed/delivered in three (3) stages, with assessment to cover all three (3) stages. The stages include the following:

Stage 1

Alterations and Additions to Raymond Terrace Bowling Club - Including associated parking and the reshaping of the croquet lawn facing Port Stephens Street which includes additional parking for stage one (1) only.

Stage 2

Demolition of the existing shade over the Bowling Greens and the construction of a new Bowling Green roof to overhang the Raymond Terrace Bowling Club roof.

Stage 3

Construction of the Hotel - Including associated parking and demolition. This stage includes the construction of a new two- storey parking complex.

The Proposal has been architecturally designed by *EJE Architecture* with the Architectural Drawings attached as **Appendix A**. Reference is given to the Staging Plans included in the Architectural Drawings.

A summary of the Proposal is detailed in **Table 1**.

Table 1 - Proposal Summary

Summary of Proposal	
Hotel Yield	
Ground	Reception, bin store, hotel "back of house", office
1 st floor	6 hotel rooms (incl. 1 accessible)
2 nd floor	16 hotel rooms (incl. 1 accessible), gym, pool terrace
3 rd floor	17 hotel rooms (incl. 2 accessible)
4 th floor	11 hotel rooms (incl. 2 accessible)
5 th floor	Restaurant, offices, bar, function space, kitchen, amenities
Total	45 hotel rooms (including 4 accessible) 5 serviced apartments (including 2 accessible)
Height	
Hotel height (from existing ground level)	20.04m
Parking	
Parking provided in Stage1 (Bowling Club)	94
Total parking provided for Stage 1 & 3 (Bowling Club & Hotel)	173 spaces (incl. 11 accessible)
Gross Floor Area (GFA)	
Existing GFA (per LEP definition):	3,069m ²
Proposed GFA (per LEP definition):	3,765m ²
Added GFA (per LEP definition):	696m ²

Development Design

The Proposal has been designed to sit comfortably within the context of the adjacent residential and commercial area while also being architecturally distinctive. The development, based on new urban principles, aims to be a catalyst for activation along Port Stephens and Swan Street, as well as the local township of Raymond Terrace.

The Hotel form incorporates an element of verticality, employing batten screening, glass accents, material transitions, and recesses that frame views yet offer areas of respite. Said material articulation, however, helps to break down the bulk of the building appearance from ground level and responds to the human scale of the pedestrian. This articulation ultimately responds to the streetscape and adds positively to the visual impact.

For further development design details reference is given to the Architects Statement in **Appendix A**.

The height of the Proposal has undergone extensive consideration with analysis being completed by *EJE Architecture*. A contextual analysis of the height has been prepared by *EJE Architecture* showing the relationship between the Proposal, existing development and Council's controls, refer to **Figure 5**. 3D Renders of the Proposal have also been prepared by *EJE Architecture* and are included as part of the Architectural documentation (**Appendix A**).

Further, a Visual Impact Assessment was prepared by *Terras Landscape Architects* which provides a detailed analysis of the Proposal, concluding that although higher than other development in the area for the most part the Proposal sits comfortably within the landscape due to existing mature vegetation surrounding the subject site and associated with the Hunter River. The Visual Impact Assessment is attached as **Appendix B**.

As part of the assessment of the Proposal a Crime Prevention Through Environmental Design (CPTED) assessment was prepared by *Monteath and Powys* and is attached as **Appendix C**. The CPTED assessment is detailed further within Section 5 of this SOEE. The CPTED assessment confirms that the Proposal can be managed to minimise the potential risk of crime subject to the recommendations provided which have been incorporated into the supporting documentation of the Development Application.

Overall, the Proposal is considered suitable and consistent with the both the existing and desired character of the area which is located within close proximity to the Raymond Terrace Central Business District. The Proposal has been designed to sit comfortably within the landscape with consideration being afforded to its surrounding context.

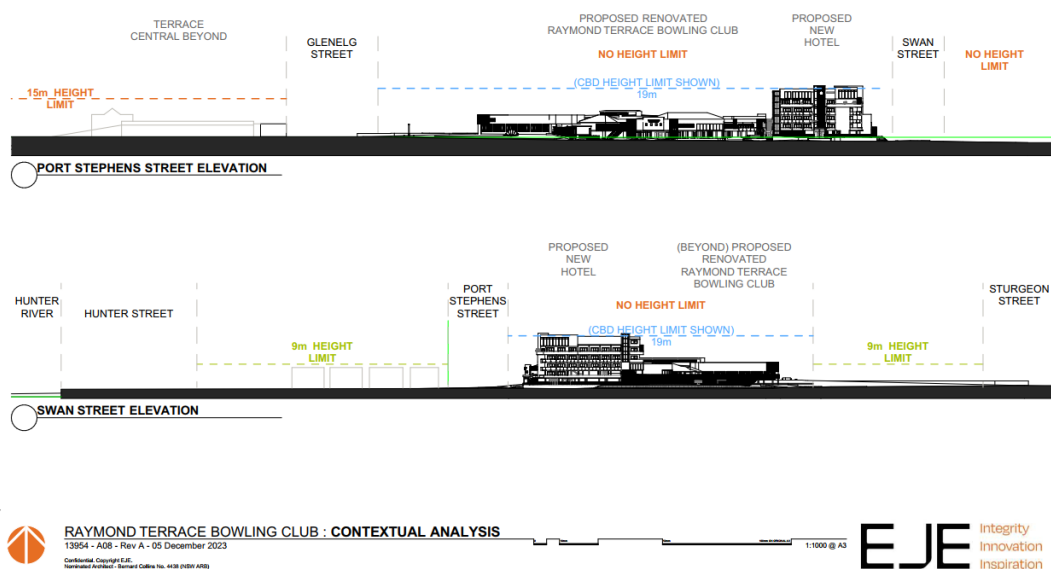


Figure 5 - Contextual Analysis (Source: EJE Architecture, 2023, Drawing A08-Rev-A)

Access and Parking

The Development Application is supported by a Traffic and Parking assessment prepared by *SECA Solution* and is attached as **Appendix D**.

The Proposal provides parking in excess of the Port Stephens Development Control Plan requirement although it is noted that the streets along the site frontage provide popular parking alternatives for members and guests. The proposed upgrades provide additional parking on subject site in addition to the existing parking supply.

The overall operation of the subject site will be similar to the existing arrangement. Servicing shall be managed in a manner similar to the existing situation with deliveries and waste collection occurring on site with access via Jacaranda Avenue and Port Stephens Street.

Landscaping

The Development Application is supported by Landscape Plans prepared by *Terra Landscape Architects* and is attached as **Appendix E**.

Stormwater and Drainage

The Development Application is supported by a Stormwater Management Plan prepared by *Northrop* and is attached as **Appendix F**.

Servicing

The subject site currently has access to electricity, reticulated water and sewer, stormwater and telecommunications. Any additional service connections and any capacity augmentation will be determined through application to the relevant service providers (Hunter Water, Ausgrid, Jemena, Telstra, NBN etc).

BCA Compliance

The Proposal is supported by a Building Code of Australia (BCA) Report prepared by *Credwell* and is attached as **Appendix G**.

The Proposal is also supported by an Access Report prepared by *Accessed* and is attached as **Appendix H**.

Operations

The Proposal is supported by a Plan of Management for the Bowling Club and the Hotel prepared by *Raymond Terrace Bowling Club Cooperative Limited* and are attached as **Appendix I** and **Appendix J** respectively.

Operating Hours

Bowling Club

The Proposal does not seek to amend the approved operating hours of the Bowling Club.

Hotel

The hotel will operate 24 hours a day, 7 days a week.

Employment

Bowling Club

Current:

- Approximately 40 staff members, excluding contractors.

After completion of works:

- Approximately 45 staff members, excluding contractors.

Hotel

- Approximately 6 staff members, excluding contractors.

Total Employees at Completion of Proposal:

- Approximately 51 staff members, excluding contractors.

Demolition Works / Earthworks

The Development Application is supported by Demolition Drawings as part of the Architectural Drawings attached as **Appendix A**. The Demolition Drawings include interim works for Stage 1.

4. STRATEGIC AND STATUTORY CONTEXT

This section describes the planning pathway and additional licenses / approvals required for the Proposal. The key legislation and planning policies which apply are outlined below.

4.1 STRATEGIC PLANNING CONSIDERATIONS

Port Stephens Local Strategic Planning Statement

The Local Strategic Planning Statement identifies the land use planning actions to achieve the directions in the *Hunter Regional Plan 2036*, *Greater Newcastle Metropolitan Plan 2036* and the *Community Strategic Plan*. The Local Strategic Planning Statement was adopted by Council on 14 July 2020.

The Local Strategic Planning Statement will inform local plans such as the Local Environmental Plan, Development Control Plan and Local Infrastructure Contributions Plans as well as providing a link to the local strategic planning hierarchy for centres in Port Stephens.

The Local Strategic Planning Statement identifies Raymond Terrace as a regionally significant strategic centre and earmarked for significant growth and investment over the next 20 years, refer to **Figure 6**.

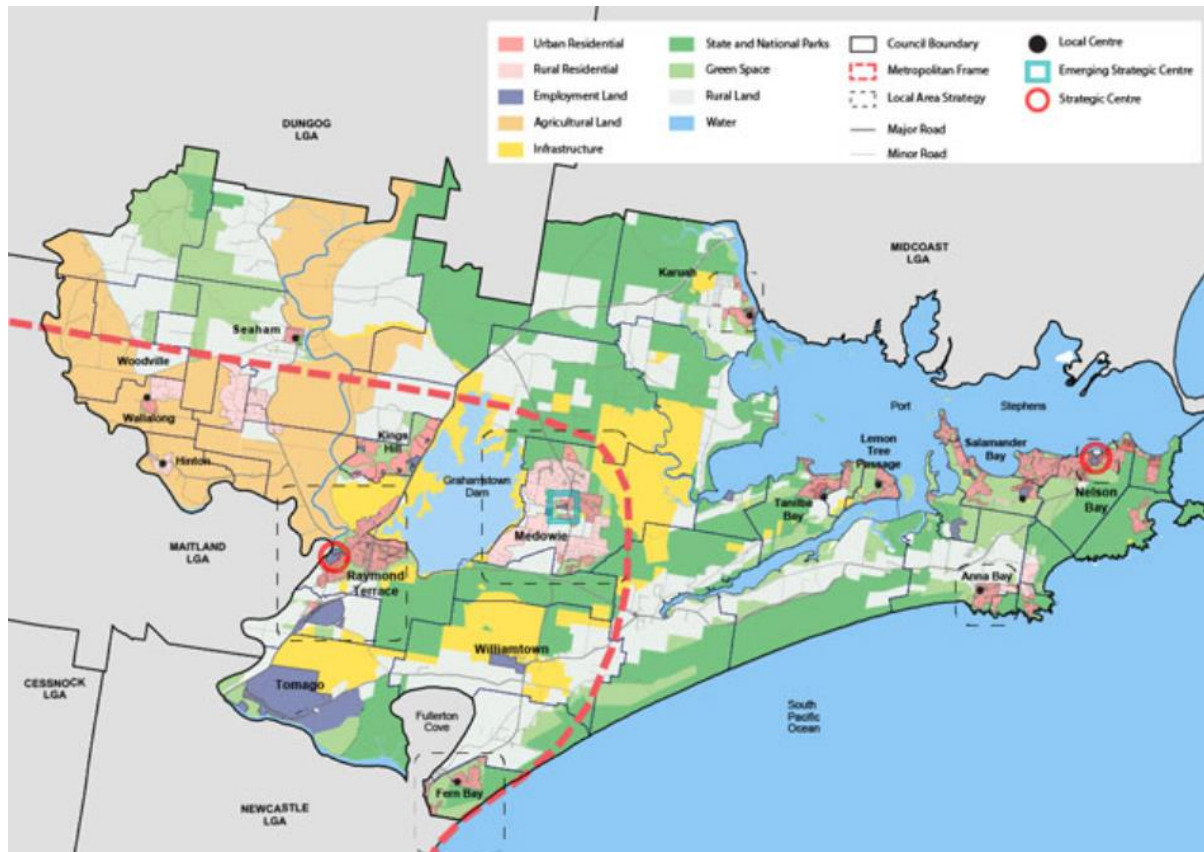


Figure 6 - Local Strategic Planning Statement (Source: Port Stephens Council, 2023)

The Local Strategic Planning Statement has 4 key outcomes — Economy, Housing, Environment and Transport. Each focus area has its own planning priorities and actions.

The elements that make Port Stephens a great place to live and work also attract over a million visitors a year. It is one of Australia's premier tourist and visitor destinations, generating in excess of \$335 million for the local economy per annum.

One of the Planning Priorities for the Economy (Priority 3) under the Local Strategic Planning Statement is to support tourism development and attract events within the local government area. One of the actions listed in the Local Strategic Planning Statement is for Council to advocate for major hotel and conference facilities to be established in the local government area.

The Proposal is consistent with the Local Strategic Planning Statement and is aligned to the plan for investment in the strategic centre of Raymond Terrace and is further aligned to the development of a major hotel in the local government area.

4.2 COMMONWEALTH LEGISLATION

Environmental Protection and Biodiversity Conservation Act 1999:

The *Commonwealth Environmental Protection and Biodiversity Conservation Act (EPBC) 1999*, in conjunction with the *Commonwealth Environmental Protection and Biodiversity Conservation Regulations 2000*, provide the basis for national environmental protection and conservation.

The EPBC Act specifically aims to:

- *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.*
- *Promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources.*
- *Recognise the role of Indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity.*
- *Promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in co-operation with, the owners of the knowledge.*

The EPBC requires Commonwealth approval for development which significantly impacts upon matters relating to National Environmental Significance. The nine matters of National Environmental Significance protected under the EPBC Act include:

1. World heritage properties;
2. National heritage places;
3. Wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed);
4. Nationally threatened species and ecological communities;
5. Migratory species;
6. Commonwealth marine areas;
7. The Great Barrier Reef Marine Park;
8. Nuclear actions (including uranium mining); and
9. A water resource, in relation to coal seam gas development and large coal mining development.

A search of the subject site was completed on 28 November on the Protected Matters Search Tool to determine features that may be present in the vicinity of the subject site. The search revealed that the following are within the vicinity of the subject site:

- Hunter Estuary Wetlands
- Hexham Swamp
- Kooragang Nature Reserve
- Shortland Wetlands Centre

Although these are within the vicinity of the search, the subject site is not within a protected site and is an existing development on the subject site.

A search of the Office of Environment and Heritage Bio Net Atlas of NSW Wildlife was also conducted on 28 November 2023. The search result noted that no threatened species or ecological communities are located within the subject site.

The assessment of the Proposal found that there is unlikely to be a significant impact on matters of National Environmental Significance or on the environment of Commonwealth land. Accordingly, the Proposal will not require referral to the Commonwealth Minister for the Environment. Overall, it is considered that no further action is required under the EPBC Act.

4.3 STATE LEGISLATION

Environmental Planning and Assessment Act 1979

The objectives of the EP&A Act are as follows:

- a) *To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.*
- b) *To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.*
- c) *To promote the orderly and economic use and development of land.*
- d) *To promote the delivery and maintenance of affordable housing.*
- e) *To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.*
- f) *To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).*
- g) *To promote good design and amenity of the built environment.*
- h) *To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.*
- i) *To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State.*
- j) *To provide increased opportunity for community participation in environmental planning and assessment.*

This SOEE provides an assessment of the Proposal against the relevant statutory documents which act to ensure development aligns with the objectives of the EP&A Act.

Matters for Consideration

The following section demonstrates the Proposal's compliance with the relevant heads of consideration in Section 4.15(1) of the EP&A Act as amended, in particular:

- *Any Environmental planning instrument, and (Section 4.15(1)(a)(i)).*
- *Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and (Section 4.15(1)(a)(ii)).*
- *Any development control plan, and (Section 4.15(1)(a)(iii)).*
- *Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and (Section 4.15(1)(a)(iiia)).*
- *The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and (Section 4.15(1)(a)(iv)).*
- *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates, (Section 4.15(1)(a)(v)).*
- *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, (Section 4.15(1)(b)).*
- *The suitability of the site for the development, (Section 4.15(1)(c)).*
- *Any submissions made in accordance with this Act or the regulations, (Section 4.15(1)(d)).*
- *The public interest, (Section 4.15(1)(e)).*

Table 2 outlines the compliance of Section 4.15(1) and refers to the relevant sections of this SOEE.

Table 2 - Section 4.15 – Matters for Consideration

4.15 – MATTERS FOR CONSIDERATION	
Provision	Considered
<i>Section 4.15(1)(a)(i) – any environmental planning instrument.</i>	Planning Instruments have been addressed in Section 4.4 and 4.5 of this SOEE.
<i>Section 4.15(1)(a)(ii) – Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified by the consent authority.</i>	No matters of relevance are raised in regard to the Development Application.
<i>Section 4.15(1)(a)(iii) – Provisions of any development control plan that apply to the land.</i>	Port Stephens Development Control Plan has been addressed in Section 4.6 of this SOEE.
<i>Section 4.15(1)(a)(iiia) – Provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.</i>	No matters of relevance are raised in regard to the Development Application.
<i>Section 4.15(1)(a)(iv) – Provisions of the regulations that apply to the land.</i>	No matters of relevance are raised in regard to the Development Application.
<i>Section 4.15(1)(b) – The likely Impact of the Development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.</i>	The likely Impacts have been addressed in Section 5 of this SOEE.
<i>Section 4.15(1)(c) – The Suitability of the site for the development.</i>	Suitability has been addressed in Section 6 of this SOEE.
<i>Section 4.15(1)(d) – Any Submissions made in accordance with this Act or the regulations.</i>	Submissions have been addressed in Section 7 of this SOEE.
<i>Section 4.15(1)(e) – The Public Interest.</i>	Public Interest has been addressed in Section 8 of this SOEE.

Overall, the Proposal has considered and complies with all matters for consideration outlined in Section 4.15(1).

4.4 OTHER LEGISLATION

Consideration was afforded to other legislation, including legislation concerning whether the Proposal is Integrated development.

Integrated Development is development that, in order for it to be carried out, requires development consent and one or more of the following approvals:

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

Fisheries Management Act 1994:

No authorisation required.

Biodiversity Conservation Act 2016:

The purpose of this Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

The subject site is not within a protected site and is an existing development with the Bowling Club being longstanding on the subject site. No threatened species or ecological communities are located on the subject site.

It is considered that the Proposal will not have an adverse impact on any threatened or migratory flora and fauna species, endangered populations, threatened ecological communities, or their habitats.

Heritage Act 1977:

The subject site is not listed as a State Heritage Item within the NSW State Heritage Inventory.

No authorisation required.

Coal Mine Subsidence Compensation Act 2017:

The subject site is not identified as being within a Mine Subsidence District.

No authorisation required.

Contaminated Land Management Act 1997:

A search of the NSW EPA Public Register for contaminated land on 29 November 2023 did not identify any order issued over the subject site.

National Parks and Wildlife Act 1974:

An AHIMS search was undertaken on 28 November 2023, with no identified Aboriginal sites or places recorded or declared near the subject site.

As such, there are no identified structures that may potentially have an aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance that would be likely to be affected by the proposed development or require authorisation under the *National Parks and Wildlife Act 1974*.

Protection of the Environment Operations Act 1997:

The Proposal is not identified as a Scheduled Activity under the *Protection of the Environment Operations Act 1997*.

No authorisation required.

Roads Act 1993:

The Proposal does not involve the disruption or development of a classified road.
No authorisation required.

Rural Fires Act 1997:

The subject site is located on Bushfire Prone Land as per Council's mapping and is classified as Vegetation Buffer.

Under the provisions of Section 100B of the *Rural Fires Act 1997*, the Proposal is considered to be for a special fire protection purpose and will require a Bushfire Safety Authority from the Commissioner of the NSW Rural Fire Service.

The Proposal is considered Integrated Development and will require referral to the Rural Fire Service as part of the Development Application to Council.

A Bushfire Assessment Report was prepared by *Newcastle Bushfire Consulting* and is attached as **Appendix K**.

Water Management Act 2000:

Under the Water Management Act, Activity Approvals are required for certain development. In this instance, a controlled activity approval is not considered to be required as the Proposal is not located on waterfront land.

Overall, the Proposal is considered to be Integrated Development as it will need to be referred to the Rural Fire Service as part of the Development Application to Council.

4.5 LOCAL ENVIRONMENTAL PLANS

Port Stephens Local Environmental Plan 2013

The *Port Stephens Local Environmental Plan 2013* is the current environmental planning instrument that governs the subject site. The subject site is zoned 'RE2' Private Recreation.

The objective of the RE2' Private Recreation zone is to:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

Uses permitted with consent in the zone include the following:

*Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Environmental facilities; Environmental protection works; Flood mitigation works; **Function centres**; Health services facilities; Home-based child care; Home businesses; **Hotel** or motel **accommodation**; Information and education facilities; Kiosks; Marinas; Markets; Mooring pens; Moorings; Neighbourhood shops; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); **Registered clubs**; Research stations; Respite day care centres; Restaurants or cafes; Roads; Roadside stalls; **Serviced apartments**; Water recreation structures; Water supply systems; Wharf or boating facilities.*

The Proposal is consistent with the zone objectives and is development permitted with consent under the *Port Stephens Local Environmental Plan 2013* comprising the following uses:

- *Registered clubs*
- *Hotel or motel accommodation*
- *Serviced apartments*
- *Function centres*

Clause 4.1 Minimum Subdivision Lot Size

The minimum lot size for the subject site is 20 ha. The Proposal does not seek subdivision as part of the Development Application. In response to the design of the Proposal, the Applicant will seek to consolidate the subject site separate to this Development Application. It is anticipated that the consolidation of the site into one lot will be required as a condition of consent.

Clause 4.3 Height of Buildings

There is no maximum building height specified for the subject site in the *Port Stephens Local Environmental Plan 2013*.

The objectives of this clause are to ensure the height of buildings is appropriate for the context and character of the area and to ensure building heights reflect the hierarchy of centres and land use structure.

As outlined in Section 3 of this SOEE, the height of the Proposal has undergone extensive consideration with analysis being completed by *EJE Architecture* and *Terras Landscape Architects*. A contextual analysis of the height has been completed by *EJE Architecture* showing relationship between the Proposal, existing development and Council's controls in particular the current height controls for Raymond Terrace's central business district, refer to **Figure 5**.

Further a Visual Impact Assessment was completed by *Terras Landscape Architects* which provided a detailed analysis concluding that the Proposal although higher than other development in the area for the most part sits comfortably within the landscape due to existing mature vegetation surrounding the subject site and associated with the Hunter River. The Visual Impact Assessment is attached as **Appendix B**. Further discussion of the Visual Impact Assessment is provided in Section 5 of this SOEE.

It is considered that the height of the Proposal has been well considered and is both appropriate for the context and character of the area and ensures that the building height reflects the hierarchy of centres and land use structure.

Clause 4.4 Floor Space Ratio

There is no floor space ratio specified for the subject site in the *Port Stephens Local Environmental Plan 2013*.

The Proposal is in keeping with the bulk and scale of the desired future character of the locality, provides well considered landscaping and incorporates design elements to minimise the effects of bulk and scale of buildings such as the element of verticality, employing batten screening, glass accents, material transitions, and recesses that frame views yet offer areas of respite.

Clause 5.6 Architectural Roof Features

The Proposal does not exceed the building height limit set out by clause 4.3 and is not subject to this clause.

Clause 5.10 Heritage

The subject site does not contain any State or Local heritage items and is not located within a heritage conservation area. Further, the subject site does not have any identified Aboriginal sites or places recorded or declared.

As requested by Council during the Pre-DA meeting, a Statement of Heritage Impact was prepared to accompany the Development Application. The Statement of Heritage Impact was prepared by *EJE (Heritage)* and is attached as **Appendix L**.

The Statement of Heritage Impact was undertaken in accordance with the relevant NSW Heritage Office publications addressing the key matters for consideration. These key matters align with the objectives of Clause 5.10.

The Proposal conserves the environmental heritage significance of Port Stephens, heritage significance of heritage items and heritage conservation areas in that it will not negatively impact the significance of the Raymond Terrace Heritage Conservation Area. It will also not affect the curtilage of any nearby heritage items.

Reference is given to the Statement of Heritage Impact for further detailed analysis of the subject site in relation to heritage and is further discussed in Section 5 of this SOEE.

It is considered that no further heritage assessment is required in relation to this clause.

Clause 5.21 Flood Planning

The subject site is affected by mainstream flooding of the Lower Hunter River.

A Flood Assessment was prepared by *Northrop* to accompany the Development Application and addresses the matters for consideration outlined within Clause 5.21. The Flood Assessment is attached as **Appendix M**.

The Flood Assessment reviewed the existing flood extents across the subject site, the flood impact of the proposed development as well as the development compliance with respect to Council's flood related Development Controls. It was concluded that the proposed development is not expected to result in a significant adverse impact in adjacent properties. The development is located in a floodway and therefore, a performance-based assessment is sought to determine the suitability of the development.

Further discussion of flood impacts is discussed in Section 5 of this SOEE.

Clause 7.1 Acid Sulphate Soils

The site is identified as containing Class 2 and Class 4 Acid Sulphate Soils.

Clause 7.2 Earthworks

The Proposal will involve some minor earthworks, associated with works identified in the Architectural documentation (**Appendix A**).

The Proposal is not likely to have detrimental impacts on soil stability, drainage patterns or impact the use of the land.

A concept erosion and sediment control plans has been developed and is attached as part of the Stormwater Management Plan documentation prepared by *Northrop*, attached as **Appendix F**. It is expected that erosion and sediment can be appropriately managed using standard practices during all stages of this Proposal.

Clause 7.4 Airspace operations

In accordance with Port Stephens RAAF Base Williamtown Obstacle limitation map, the Proposal only applies to this clause if the building is higher than 45m.

As the Proposal is under 45m, it does not require any referral to the relevant Commonwealth body.

Clause 7.6 Essential services

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

A Development Assessment Application has been submitted to Hunter Water with the stamped plan attached as **Appendix N**.

Clause 7.8 Drinking Water Catchment

The subject site is not identified in the *Port Stephens Local Environmental Plan 2013* as being within a drinking water catchment.

Clause 7.8 Wetlands

The subject site is not identified in the *Port Stephens Local Environmental Plan 2013* as being within an identified wetland.

Clause 7.22 Active street frontages

The subject site is not identified in the *Port Stephens Local Environmental Plan 2013* as being within an active street frontage.

4.6 STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2 State and Regional Development

The CIV for the Proposal is \$38,554,073. Given the CIV is over \$30 million, the development comprises Regionally Significant Development under the provisions of this SEPP and the Hunter and Central Coast Regional Planning Panel will be assigned as the consent authority.

A CIV Quantity Surveyor's Certificate of Cost and a Cost Summary Report have been prepared and are attached as **Appendix O** and **Appendix P** respectively.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

The subject site consists of an existing Bowling Club that is not mapped as having any vegetation under the Biodiversity Values Map (NSW Government). The Proposal will require the removal of a small number of trees to facilitate the works as identified on the Architectural documentation (**Appendix A**) with trees to be retained where possible.

Chapter 4 Koala Habitat

The provisions of this chapter apply to the Port Stephens local government area. The subject site is identified as clear and a cleared link under Council's mapping.

The subject site consists of an existing Bowling Club that is not mapped as having any Koala Habitat. The Proposal will require the removal of a small number of trees to facilitate the works as identified on the Architectural documentation (**Appendix A**) with trees to be retained where possible. As such, the Proposal is not likely to adversely impact any koala habitat within or surrounding the subject site.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 Coastal Management

The subject site is located on the Coastal Environment Area map and is partly located on the Coastal Use Area map (NSW Planning Portal Viewer, 2023).

Provisions under these areas are discussed in **Table 3** and **Table 4**.

Table 3 - Consideration of Development on land within the Coastal Environment Area

2.10 Development on land within the coastal environment area	
Provision	Consideration
<i>(1)(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</i>	<p>The Proposal includes a number of mitigation measures as outlined within the supporting documentation. Stormwater runoff on ground surface will be generally directed to pits and grated trench drains, where pits expected to get surface stormwater runoff are fit with proprietary filter inserts (HydroChannel for grated trench drain and OceanGuard for pits, or approved equivalent). The Proposal also includes the use of a JellyFish inground proprietary filter device for final treatment prior to discharging from the site. Refer to further details within the Stormwater Management Plan (Appendix F) and Section 5 of this SOEE.</p> <p>No adverse impacts are envisaged to the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment.</p>
<i>(1)(b) coastal environmental values and natural coastal processes,</i>	<p>No adverse impacts are envisaged to the coastal environmental values and natural coastal processes.</p> <p>Refer above.</p>
<i>(1)(c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</i>	<p>The subject site is not located within proximity to any of the sensitive coastal lakes identified in Schedule 1.</p>
<i>(1)(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</i>	<p>Adverse impacts are not envisaged to marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms taking into consideration the location of the subject site and the mitigation measures proposed as part of the Proposal.</p>
<i>(1)(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	<p>The Proposal does not result in any adverse impacts to existing open space within the proximity of the subject site.</p>
<i>(1)(f) Aboriginal cultural heritage, practices and places,</i>	<p>An assessment of Aboriginal cultural heritage, practices and places is contained within Section 5 of this SOEE.</p> <p>No impacts have been identified.</p>
<i>(1)(g) the use of the surf zone.</i>	<p>The subject site is not located within proximity of the surf zone.</p>
<i>(2)(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or</i>	<p>The Proposal complies with the provisions outlined in subsection 1. Refer above.</p>
<i>(2)(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	<p>Not Applicable</p>
<i>(2)(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i>	<p>Not Applicable</p>

Table 4 - Consideration of Development on land within the Coastal Use Area

2.11 Development on land within the coastal use area	
(1) Provision	Consideration
<i>(1)(a) has considered whether the proposed development is likely to cause an adverse impact on the following—</i>	The Proposal does not result in any adverse impacts to existing open space within the proximity of the subject site.
<i>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i>	
<i>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</i>	<p>The Proposal does not result in overshadowing, wind funnelling or the loss of views from public places to foreshores.</p> <p>As represented in the Shadow Diagrams as part of the Architectural documentation (Appendix A) the Proposal does not result in overshadowing.</p> <p>A Visual Impact Assessment (Appendix B) was prepared concluding that the Proposal although higher than other development in the area for the most part sits comfortably within the landscape due to existing mature vegetation surrounding the site and associated with the Hunter River.</p>
<i>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</i>	Refer to comments relating to the Visual Impact Assessment above.
<i>(iv) Aboriginal cultural heritage, practices and places,</i>	<p>An assessment of Aboriginal cultural heritage, practices and places is contained within Section 5 of this SOEE.</p> <p>No impacts have been identified.</p>
<i>(v) cultural and built environment heritage, and</i>	<p>An assessment of cultural and built environment heritage is contained within Section 5 of this SOEE.</p> <p>No impacts have been identified.</p>
<i>(b) is satisfied that—</i>	The Proposal complies with the provisions outlined in paragraph (a). Refer above.
<i>(i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</i>	
<i>(ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i>	Not Applicable.
<i>(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</i>	Not Applicable.
<i>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</i>	Refer to comments relating to the Visual Impact Assessment above.

Overall, the Proposal is consistent with the provision of Chapter 2 Coastal Management.

Chapter 4 Remediation of land

Chapter 4 requires the consent authority to consider whether the land is contaminated and whether it is suitable with or without remediation for the purpose for which the development is proposed to be carried out. Following a review of the contaminated land register, the subject site is not listed as a contaminated site. Past land uses of the subject site have not involved any significant potentially contaminating activities and the subject site is not considered to be contaminated or to require remediation to be made suitable for the proposed uses. Therefore, further assessment against Chapter 4 is not required and the Proposal complies with the provisions.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 Infrastructure

Division 5 – Electricity Transmission or Distribution Networks

The Proposal will involve works near the location of an Ausgrid Kiosk in the driveway accessed from Jacaranda Avenue. It is considered that Council will review and refer the Proposal to Ausgrid where required taking into consideration any response received.

Division 17 – Roads and Traffic

The Proposal does not trigger any of the criteria in Schedule 3 as traffic generating development and does not require referral to Transport for NSW.

State Environmental Planning Policy (Sustainable Buildings) 2022

The primary objective of the *State Environmental Planning Policy (Sustainable Buildings) 2022* is to encourage the development of energy-efficient and environmentally sustainable buildings in New South Wales. It seeks to reduce the environmental impact of buildings by setting standards and requirements for sustainability measures.

Chapter 3 Standards for non-residential development

The Proposal is reviewed against the provisions of the relevant provisions for non-residential developments in **Table 5**. Reference is given to Planning Circular PS 23-001 (*Assessing sustainable performance in buildings*), issued September 2023. The Planning Circular states that it is not critical that all general provisions are incorporated into the development, however the applicant should show due consideration.

As part of the assessment a NABERS Embodied Emissions Material Form has been completed by a registered Quantity Surveyor and is attached as **Appendix Q**.

Table 5 - Consideration of Standards for Non-Residential Development

State Environmental Planning Policy (Sustainable Buildings) 2022	
Chapter 3 Standards For Non-Residential Development	Consideration
<p>3.1 Application of Chapter</p> <p>(1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involves—</p> <p>(a) the erection of a new building, if the development has a capital investment value of \$5 million or more, or</p> <p>(b) alterations, enlargement or extension of an existing building, if the development has a capital investment value of \$10 million or more.</p>	<p>It is considered that Chapter 3 applies as the Proposal involves the erection of a new building (being the Hotel) as the CIV is over \$5M (s3.1(1)(a)) and the alterations, enlargement or extension of an existing building (Bowling Club works) as the CIV is over \$10M (s3.1(1)(b)).</p>
<p>(2) This Chapter does not apply to the following development—</p> <p>(a) development that is permitted with or without consent or that is exempt or complying development under—</p> <p>(i) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or</p> <p>(ii) State Environmental Planning Policy (Resources and Energy) 2021, Chapter 2, or</p> <p>(iii) State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 5,</p> <p>(b) development on land wholly in any of the following zones—</p> <p>(i) Zones RU1, RU2 or RU3,</p> <p>(ii) Zone E5,</p> <p>(iii) Zone IN3,</p> <p>(iv) Zones C1, C2 or C3,</p> <p>(v) Zones W1, W2, W3 or W4,</p> <p>(c) development for the purposes of residential care facilities.</p>	<p>Not Applicable.</p>
<p>(3) To avoid doubt, this Chapter does not apply to development to which Chapter 2 applies.</p>	<p>Noted.</p>
<p>3.2 Development consent for non-residential development</p> <p>(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—</p> <p>(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,</p>	<p>The Proposal provides the opportunity to use locally sourced materials in construction, as well as maximise the recycled content of construction materials, where possible.</p>
<p>(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,</p>	<p>Energy efficiency considerations will be provided in the final detailed construction design, which will be subject to a Section J Report.</p>

State Environmental Planning Policy (Sustainable Buildings) 2022	
Chapter 3 Standards For Non-Residential Development	Consideration
<i>(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,</i>	<p>Some of the design elements that have been incorporated include but are not limited to the following:</p> <ul style="list-style-type: none"> • The choice of an open-deck carpark reduces mechanical requirements for ventilation, provides opportunity for direct solar EV charging on the first floor. • Inclusion of bicycle parking and EV charging to reduce on-site fossil fuel consumption. Refer to Architectural Drawing A16 (Appendix A). • Light coloured finishes and façade treatments across the Bowling Club and Hotel to reduce solar gain. • Passive design strategies within the enclosed bowling greens through ample cross-ventilation and protection from the western sun. • External solar shading achieved via landscaping design to the western face of the hotel (Refer to Landscape plans in Appendix E), as well retained landscaping across Swan Street and Jacaranda Avenue. Additional landscape cover over west-facing built assets via wire trellis systems to minimise solar gain, with the vegetation cover reducing maintenance and improving amenity.
<i>(d) the generation and storage of renewable energy,</i>	The Proposal provides ample provision opportunities for solar photovoltaic panels across both the Bowling Club and Hotel roofing, with a significant expected reliance on renewable energy. Refer to Architectural Drawings A21, A22, and A27 (Appendix A).
<i>(e) the metering and monitoring of energy consumption,</i>	Best practices are to be considered in the final detailed construction design, which will be subject to a Section J Report.
<i>(f) the minimisation of the consumption of potable water.</i>	The Proposal includes the installation and use of a 15,000L rainwater tank with reuse to be reticulated towards watering the bowling greens and flushing select Bowling Club toilets, minimising potable water where possible. Refer to Drawing DA-C04.11 Rev. 1 of the Stormwater Management Plan (Appendix F).
<i>(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.</i>	A NABERS Embodied Emissions Material Form has been completed by a registered Quantity Surveyor and is attached as Appendix Q .

State Environmental Planning Policy (Sustainable Buildings) 2022	
Chapter 3 Standards For Non-Residential Development	Consideration
3.3 Other considerations for large commercial development <i>(1) In deciding whether to grant development consent to large commercial development, the consent authority must consider whether the development minimises the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.</i>	The Proposal is not a large commercial development in relation to the definitions.
<i>(2) Development consent must not be granted to large commercial development unless the consent authority is satisfied the development is capable of achieving the standards for energy and water use specified in Schedule 3.</i>	Not Applicable.
<i>(3) For the purposes of subsection (2), development is capable of achieving a standard specified in Schedule 3 if there is a NABERS commitment agreement in place to achieve the standard.</i>	Not Applicable.
<i>(4) Subsection (2), to the extent it relates to energy use, does not apply to large commercial development on land to which the following local environmental plans apply— (a) Sydney Local Environmental Plan 2012, (b) Sydney Local Environmental Plan (Green Square Town Centre) 2013, (c) Sydney Local Environmental Plan (Green Square Town Centre—Stage 2) 2013.</i>	Not Applicable.
<i>(5) Despite subsection (4), subsection (2) applies to large commercial development to the extent that the development relates to prescribed serviced apartments.</i>	Not Applicable.
3.4 Other considerations for certain State significant development <i>(1) This section applies to non-residential development that is declared to be State significant development by State Environmental Planning Policy (Planning Systems) 2021, section 2.6(1) and specified in that policy, Schedule 1, sections 13–15.</i>	The Proposal is not State significant development in relation to the definitions.
<i>(2) In deciding whether to grant development consent to development to which this section applies, the consent authority must consider whether the development will minimise the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.</i>	Not Applicable.

Overall, the Proposal is consistent with provisions for non-residential developments.

4.7 DEVELOPMENT CONTROL PLANS

Port Stephens Development Control Plan 2014

The *Port Stephens Development Control Plan 2014* provides detailed direction about aspects of development that must be considered prior to submitting a Development Application.

DEVELOPMENT CONTROL	APPLICATION TO PROPOSED DEVELOPMENT
Section A - Introduction	✓
Section B – General Controls	✓
Section C – Development Types	✓
Section D – Specific Areas	✓

Section A – Introduction:

Port Stephens Development Control Plan 2014 applies to the subject site and the Proposal. The structure of the plan seeks to facilitate permissible **development** and support alternative **merit-based approaches to development** that is permissible under the *Port Stephens Local Environmental Plan 2013*. This is consistent with the purpose and status of a Development Control Plan under section 3.42 of the EP&A Act.

Section B – General Controls:

B General Provisions

B1 Tree Management

The Proposal will require the removal of a small number trees to facilitate the works as identified on the Architectural documentation (**Appendix A**) with trees to be retained where possible. The Proposal is not likely to have impact on Threatened Flora or Fauna.

In the event that the trees nominated cannot be retained, the Development Applications seeks consent to remove the trees to facilitate the works.

B3 Environmental Management

B3.2 Noise

In accordance with the provisions of the *Port Stephens Development Control Plan 2014*, a Noise Assessment was prepared by *RAPT Consulting* addressing the relevant policies and guidelines for noise and vibration assessments in NSW which include the *Noise Policy for Industry, Environment Protection Authority, 2017* and the *Noise Guide for Local Government Environment Protection Authority, 2013*. The Noise Assessment is attached as **Appendix R**.

The Noise Assessment concludes that based on the results and the information provided regarding the development, compliance with all noise goals is expected for the development on neighbouring residences and commercial operators. Further details are discussed in Section 5 of this SOEE.

B3.C Earthworks

The objective of this chapter is to facilitate earthworks so as to minimise potential environmental impacts, such as erosion or the release of sulfuric acids as identified by the *Port Stephens Local Environmental Plan 2013*.

The earthworks for the Proposal are considered to be minor. As such, a bulk earthworks plan is not considered to be required in this instance.

B4 Drainage and Water Quality

B4.A Stormwater drainage plan and B4.C Water quality

The objective of the Stormwater Drainage Plan chapter is to:

- *Ensure a stormwater drainage plan is submitted when development either increases impervious surfaces or drains to the public drainage system;*
- *Ensure the stormwater drainage plan details a legal and physical point of discharge to minimise impacts on water balance, surface water and groundwater flow and volume regimes and flooding; and*
- *Implement sustainable mitigation systems that can be maintained using resources available to the maintainer.*

As part of the assessment a Stormwater Management Plan was prepared and is attached as **Appendix F**.

The Stormwater Management Plan was prepared with consideration to and generally in accordance with the *Port Stephens Development Control Plan 2014*, in particular 'Section B4 Drainage and Water Quality' and meets the requirements for stormwater management as outlined.

Further details are contained in the Stormwater Management Plan (**Appendix F**) and Section 5 of this SOEE.

B5 Flooding

As part of the assessment a Flood Assessment was prepared and is attached as **Appendix M**. The Flood Assessment reviewed the existing flood extents across the subject site, the flood impact of the Proposal as well as the development compliance with respect to Council's flood related Development Controls. It was concluded that the Proposal is not expected to result in a significant adverse impact in adjacent properties. The development is located in a floodway and therefore, a performance-based assessment is sought to determine the suitability of the development aligning to the structure of the *Port Stephens Development Control Plan 2014* to support alternative merit-based approaches to development.

Further details are contained in the Flood Assessment (**Appendix M**) and Section 5 of this SOEE.

B6 Williamstown RAAF Base - Aircraft Noise and Safety

B6.D Impacts on operation of aircraft

The objective of this chapter is to ensure that the operational needs of the Williamstown RAAF Base are considered.

The subject site is identified as Group A (13km Radius from airport runway). As such is required to demonstrate compliance with the development controls of B6.6.

Development controls

Any development located within the bird strike zone is to limit, cover and/or enclose any organic waste and/or the storage of bins on site.

Design Response

All organic waste stored for collection outside will be placed into bins with lids and will be compliant with the control.

B7 Heritage

To objective of the chapter is to ensure satisfactory consideration of the objectives for clause 5.10 of the *Port Stephens Local Environmental Plan 2013*.

The objectives of clause 5.10 has been addressed in Section 4.5 (*Port Stephens Local Environmental Plan 2013*) of this SOEE. Reference is also given to the Statement of Heritage Impact (**Appendix L**) and Section 5 of this SOEE.

It is considered that the objectives of clause 5.10 have been satisfactory considered and comply with the objectives.

B8 Road Network and Parking

As part of the assessment a Traffic and Parking Assessment was prepared and is attached as **Appendix D**. The Traffic and Parking Assessment considered the car parking and access options available for the subject site and undertook traffic surveys and provided an assessment of traffic, parking and access to support the Proposal. It was prepared in accordance with the *Guide to Traffic Generating Developments* published by Transport for NSW with consideration to the relevant sections of the *Port Stephens Development Control Plan 2014*.

The Traffic and Parking Assessment concluded that the Proposal would have only a minimal and acceptable impact over the existing use of the site. Therefore, the Proposal should be approved on traffic, parking and access grounds.

Further details are contained in the Traffic and Parking Assessment (**Appendix D**) and Section 5 of this SOEE.

Section C – Development Types:

As there are no specific controls for hotels in the *Port Stephens Development Control Plan 2014*, it is anticipated that Council will assess this Development Application on its merits along with refer the Proposal to the Urban Design Review Panel. Reference is given to Section 3 of this SOEE in relation to the design of the Proposal in conjunction with the relevant supporting documentation.

C2.H Public Art

The objective of this chapter is to ensure that features of the public domain contribute to identity, character, safety, amenity and accessibility.

The Proposal has a CIV over \$2 million and is subject to Council's Public Art Policy.

A Public Art Artists Brief has been prepared by *EJE Architecture* and is attached as **Appendix S**.

C2.L Signage

The Architectural drawings prepared by *EJE Architecture* (**Appendix A**) provide details for the new Bowling Club signage as well as indicative location for future Hotel signage.

It is considered that the proposed signage is complementary to its surroundings and complies with the objective of the chapter.

Section D – Specific Areas:

D1 Raymond Terrace centre

D11.G Street trees

The subject site is located adjacent to Jacaranda Avenue. The Proposal has no effect to the public access to Jacaranda Avenue. The Jacaranda trees are located within the road verge and street corridor. The canopy of the Jacarandas typically stays outside the Bowling Club boundary and there is no anticipated pruning required to enable the works to occur. No significant fabric or significant spaces (the road corridor) will be impacted by the proposed works. Further details are provided in the prepared Statement of Heritage Impact (**Appendix L**).

5. ENVIRONMENTAL IMPACT ASSESSMENT

5.1 ABORIGINAL AND NON-ABORIGINAL HERITAGE

The subject site does not contain any State or Local heritage items and is not located within a heritage conservation area. Further, the subject site does not have any identified Aboriginal sites or places recorded or declared.

The Statement of Heritage Impact (**Appendix L**) prepared as part of this Development Application was undertaken in accordance with the relevant NSW Heritage Office publications addressing the key matters for consideration.

This section provides a summary and recommendations in relation to heritage impacts prepared by *EJE (Heritage)* in the Statement of Heritage Impact. To provide the full context of the Statement of Heritage Impact the report should be reviewed and considered in its entirety.

The Bowling Club has been located on the current site since 1942 with the current club building growing and evolving through several stages of construction since that date.

The proposed hotel tower will be able to be seen from places within the Raymond Terrace Heritage Conservation Area such as those from Lakeside Park and from Port Stephen Street, however existing established planting and proposed planting will considerably mitigate these effects. The proposed enclosure of the Bowling Greens will be able to be seen from Jacaranda Avenue and nearby sites but are contained within the subject site and are screened by the trees themselves thus minimising any impact upon significant fabric, spaces, settings, views and vistas.

The impact of the proposal on Jacaranda Avenue will be low. The proposed scale of these works to be of a similar scale to existing shade sails with previously established view corridors between the greens and Jacaranda Avenue being maintained through the inclusion of large, glazed sections.

Sight lines to the Raymond Terrace War Memorial will be affected by the redevelopment bowling green. While the physical bulk of enclosed greens is of a similar scale to existing membrane structure, the new building will be prominently visible from the park itself as well as from Port Stephens Street and Jacaranda Avenue. Despite this, the new façade will present a neutral backdrop with minor ornamentation which will serve to facilitate clear viewing of the memorial.

Proposed works will not negatively impact the significance of the Raymond Terrace Heritage Conservation Area. It will also not affect the curtilage of any nearby heritage items. The hotel development additionally has the potential to revitalise the area with positive flow on effects including increased foot traffic into the conservation area with an uptake in patronage at nearby heritage establishments such as The Rectory Café.

5.2 BUSHFIRE

The subject site is located on Bushfire Prone Land as per Council's mapping and is classified as Vegetation Buffer.

The Bushfire Assessment Report (**Appendix K**) prepared as part of this Development Application was undertaken against the requirements of Section 100B of the *Rural Fires Act 1997*, AS3959 (2018) *Construction of buildings in bushfire-prone areas* and *Planning for Bush Fire Protection* (2019).

This section provides a summary and recommendations in relation to bushfire impacts prepared by *Newcastle Bushfire Consulting* in the Bushfire Assessment Report. To provide the full context of the Bushfire Assessment Report it should be reviewed and considered in its entirety.

The Bushfire Assessment Report establishes that the development is capable of complying with the acceptable solutions of *Planning for Bush Fire Protection* (2019).

Based upon the assessment of the plans and information received for the Proposal, the Bushfire Assessment Report recommends that development consent be granted subject to the following conditions that when implemented will reduce the risk of bushfire attack:

1. The proposed building works shall comply with *National Construction Code 2022* Structural Fire Safety requirements.
2. At the commencement of building works and in perpetuity, the entire property shall be managed as an inner protection area (IPA) as outlined within Appendix 4 of *Planning for Bush Fire Protection* (2019) and the *NSW Rural Fire Service's document Standards for Asset Protection Zones*.
3. Water, electricity and gas are to comply with *Planning for Bush Fire Protection* (2019) Section 5.
4. Landscaping is to be undertaken in accordance with *Planning for Bush Fire Protection* (2019) Appendix 4 and managed and maintained in perpetuity.
5. It is recommended that the facility manager prepare an emergency management plan for the development with consideration of bushfire.

5.3 CRIME PREVENTION

The CPTED assessment (**Appendix C**) prepared as part of this Development Application was undertaken against the four key components being:

1. Natural access control,
2. Natural surveillance,
3. Territorial reinforcement; and
4. Space and activity management.

This section provides a summary and recommendations in relation to crime impacts prepared by *Monteath and Powys* in the CPTED assessment. To provide the full context of the CPTED assessment it should be reviewed and considered in its entirety.

Natural Access Control Recommendations

Standard sign-in procedures are to be implemented into the Bowling Club. Staff are to monitor entry from the Bowling Green entry and ensure correct sign-in is completed where required.

Clear signage for vehicle and pedestrian access is to be incorporated into the final plans for the development.

The secure entry between the Bowling Club and the Hotel is to incorporate sign-in/out procedures for guests.

When the delivery store and adjacent storage areas are not in use, they are to remain locked to stop any unauthorised entry into the Hotel and Bowling Club.

Access to the Hotel and associated facilities is to be restricted to relevant floors only.

To prevent unauthorised access outside normal operating hours, consideration should be given to the Hotel access doors to be automatically locked from 10:00PM to 6:00AM with access only through the use of guest's room keys or card readers.

Natural surveillance Recommendations

It is recommended that CCTV cameras and suitable lighting be incorporated into the final development. Particular attention should be made to less active areas such as the storage areas and waste storage areas.

It is recommended that lighting is reviewed along the pedestrian access routes and also near the less monitored delivery areas.

Final landscaping design and configuration is to be undertaken to prevent opportunities for areas becoming entrapment sites in the future.

Hotel guest room corridors are to be well-lit and without areas in which a person might hide.

It is recommended that trees and shrubs are maintained to provide clear sightlines to and from isolated areas. I.e the use of elongated trunks with canopy clearance of approximately 2 metres, and shrubs should be less than approximately 1 metre high.

Territorial reinforcement Recommendations

Appropriate signage is to be used to supplement and reinforce behavioural expectations and advice around the outside of the Hotel and the Bowling Club.

The entry into the Bowling Greens is to be clearly marked as being part of the Bowling Club.

A wayfinding signage strategy and plan is to be developed and implemented before operations of the development commence.

Trees and landscaping are to be maintained to remove low hanging branches to allow clear lines of sight and shrubs should be maintained to not provide easy concealment.

It is recommended that particularly along the road frontages areas are well maintained, and any litter and graffiti is removed as soon as practical. Entrances to the development be surfaced with a different surface material to clearly identify the private from the public areas.

Space and Activity Management

An Operational Plan of Management be developed for the Hotel and the Bowling Club.

Staff of the Hotel and the Bowling Club are to be trained in the processes of the Operational Plan of Management and any procedures relating to access control on the site.

Graffiti and vandal resistance building materials and fixtures shall be used in the construction of the development. Where there are existing surfaces exposed to potential for graffiti damage, graffiti resistant coatings should be applied. Graffiti shall be removed as quickly as possible to minimise cumulative graffiti and to deter future vandalism.

Any vandalised or burned-out lighting is to be replaced as a priority.

The development is to be well maintained including all locks within the development.

Directional signage shall be provided throughout the development, inclusive of car parking areas and vehicle access entrances/exits. The signage is to be clear, legible and useful, to aid way finding throughout the area reducing opportunity for excuse making behaviour and loitering.

The CPTED assessment of the Proposal in accordance with the CPTED principles confirms that the development can be managed to minimise the potential risk of crime subject to considerations in accordance with the recommendations.

It is considered that the Proposal will provide a relatively safe environment for the community including the users of the shared pathway and the surrounding residents and should be supported.

5.4 FLORA AND FAUNA

The subject site is not within a protected site and is an existing development with the Bowling Club being longstanding on the subject site. No threatened species or ecological communities are located within the subject site.

The Proposal will require the removal of a small number trees to facilitate the works as identified on the Architectural documentation (**Appendix A**) with trees to be retained where possible.

It is considered that the Proposal will not have an adverse impact on any threatened or migratory flora and fauna species, endangered populations, threatened ecological communities, or their habitats.

5.5 WATER AND FLOODING

Water Quality

The Stormwater Management Plan (**Appendix F**) prepared as part of this Development Application was undertaken with consideration to and generally in accordance with the *Port Stephens Development Control Plan 2014*, in particular 'Section B4 Drainage and Water Quality' and meets the requirements for stormwater management.

This section provides a summary and recommendations in relation to water quality impacts prepared by *Northrop* in the Stormwater Management Plan. To provide the full context of the Stormwater Management Plan it should be reviewed and considered in its entirety.

Soil Management

The Stormwater Management Plan consists of a concept Erosion and Sediment Control Plans, refer to Drawings DA-C02.11 Rev.1 and DAC02.12 Rev.1 (**Appendix F**).

The proposed erosion and sediment management includes:

- Sediment fence around the site boundary to prevent soil being carried off site with stormwater flows.
- Stabilised site access to prevent sediment being tracked off site by construction vehicles. Sandbags are to be placed across the access at the end of work days and before rain events to prevent sediment leaving site in stormwater runoff.
- Sediment filters placed around all new and existing pits on site. The existing stormwater pits adjacent to the site can also be managed with sediment filters to prevent sediment entering the stormwater network in the event soil is tracked off site.
- Sediment fence and drainage diversion around stockpiles. Sediment fence would restrict soil carried off stockpiles from travelling away from the stockpile area. Drainage diversion to limit flow of stormwater through the stockpile area to reduce the erosion of stockpiles.

The Concept Erosion and Sediment Control Plan provided is general to suit the total site disturbance. However, with multiple phases of development the contractor during construction will be responsible to ensure the erosion and sediment control suit construction staging. Some controls may not be needed where works are not occurring or where sections have been completed and fully stabilised. Further, additional controls may be required around localised areas of work. It is expected that erosion and sediment can be appropriately managed using standard practices during all stages of this development.

In the event the proposed control devices are not functioning adequately, they shall be cleaned out and/or repaired as required until they are able to complete their designed purpose. The contractor during construction is responsible for ensuring the erosion and sediment controls are maintained and functioning, with a detailed record to be kept on site.

Stormwater Management

Stormwater runoff from the new roof over bowling greens will be directed to a 15kL rainwater tank located in space beneath level 1 near the existing tank and close to the bowling greens. Reuse from the rainwater tanks will be reticulated to water the bowling greens (with expected frequency of weekly in hotter months and fortnightly in colder months) and toilets for flushing in the locker area and accessible bathroom adjacent to bowling area.

Stormwater runoff on ground surface will be generally directed to pits and grated trench drains, where pits expected to get surface stormwater runoff are fit with proprietary filter inserts (HydroChannel for grated trench drain and OceanGuard for pits, or approved equivalent).

The subject site predominantly flows through a JellyFish inground proprietary filter device for final treatment prior to discharging from the site. The catchment to Swan Street does not go through the JellyFish and there is a small bypassing catchment to Port Stephens Street which is not practical to direct through the JellyFish.

The treatment devices are predominantly installed in Stage 1 as shown in civil package drawing sheet DA-C04.11 (**Appendix F**). The rainwater tank would be installed in Stage 2 when the new roof is constructed, and an additional pit filter for a new pit installed in Stage 3.

Through the implementation of the mitigation measures of the Stormwater Management Plan it is considered that any potential impacts to water quality can be mitigated and minimised.

Flooding

The Flood Assessment (**Appendix M**) prepared as part of this Development Application reviewed the existing flood extents across the subject site, the flood impact of the proposed development as well as the development compliance with respect to Council's flood related Development Controls.

This section provides a summary and recommendations in relation to flooding impacts prepared by *Northrop* in the Flood Assessment. To provide the full context of the Flood Assessment it should be reviewed and considered in its entirety.

The subject site is affected by mainstream flooding of the Lower Hunter River. Flood modelling was undertaken representing a 1% Annual Exceedance Probability (AEP) event.

The Flood Assessment concluded that the Proposal is not expected to result in a significant adverse impact in adjacent properties. The development is located in a floodway and therefore, a performance-based assessment is sought to determine the suitability of the development.

Furthermore, it was determined that risks to property and life can be appropriately managed through the available onsite evacuation.

5.6 NOISE

The Noise Assessment (**Appendix R**) prepared as part of this Development Application was undertaken addressing the relevant policies and guidelines for noise and vibration assessments in NSW which include the *Noise Policy for Industry, Environment Protection Authority, 2017* and the *Noise Guide for Local Government Environment Protection Authority, 2013*.

This section provides a summary and recommendations in relation to noise impacts prepared by *RAPT Consulting* in the Noise Assessment. To provide the full context of the Noise Assessment it should be reviewed and considered in its entirety.

The results of the modelling indicate compliance is expected at all assessed residential receptors.

While compliance with operational project noise trigger levels is expected, it is recommended the subject site as part of its plan of management have measures in place to particularly to deal with any unexpected excessive noise from patrons. This could include but not be limited to:

- Ensure all employees are trained to assist patrons to minimise noise, particularly patrons leaving the site.
- Place signage in appropriate areas requesting patrons to respect the neighbours in terms of noise and to leave quietly.
- Request patrons leave the site if they are being excessively noisy.
- Management and staff shall immediately address complaints relating to noise and where possible act immediately to satisfy the complaint. Any complaint made should be recorded in the Complaints Register and dealt with. If required, the site shall meet with neighbours to address ongoing matters as they arise and to ensure contingency plans are in place
- Strict adherence to the approved hours of operation

Through the implementation of the mitigation measures of the Noise Assessment and the buildings design it is considered that any potential noise impacts can be mitigated and minimised.

5.7 SOCIAL / ECONOMIC

It is considered that the Proposal will not have a negative impact on the public domain.

The overall Proposal will result in a quality urban design and architectural outcome that will strongly contribute to the amenity, tourism and allure of the locality. The Proposal aims to enrich the character of the area and represent an exciting new development to be appreciated by all.

For further development design details reference is given to the Architects Statement in **Appendix A**.

The Proposal is consistent with the Port Stephens Local Strategic Planning Statement and is aligned to the plan for investment in the Raymond Terrace locality and is further aligned to Councils priority for the development of a major hotel in the local government area. Acting to contribute to one of Australia's premier tourist and visitor destinations, with the local government area generating in excess of \$335 million for the local economy per annum. The Proposal will continue and grow employment opportunities within Raymond Terrace and bring both positive economic and social benefits to the community.

5.8 SOILS AND GEOTECHNICAL

The subject site is not listed as a contaminated site. The earthworks for the Proposal are considered to be minor. As such, a bulk earthworks plan is not considered to be required in this instance.

Reference is given to the assessment in Section 5 and the concept Erosion and Sediment Control Plans contained within the Stormwater Management Plan (**Appendix F**).

5.9 TRAFFIC AND TRANSPORTATION

The Traffic and Parking Assessment (**Appendix D**) prepared as part of this Development Application was prepared in accordance with the *Guide to Traffic Generating Developments* published by Transport for NSW with consideration to the relevant sections of the *Port Stephens Development Control Plan 2014*.

This section provides a summary and recommendations in relation to traffic and parking impacts prepared by *SECA Solutions* in the Traffic and Parking Assessment. To provide the full context of the Traffic and Parking Assessment it should be reviewed and considered in its entirety.

Parking

The Proposal as part of Stage 1 (Bowling Club Works) results in a parking demand on the subject site of 94 spaces, with 94 spaces being provided.

The overall Proposal results in a parking demand on the subject site of 134 spaces across the site. The Proposal provides 173 parking spaces resulting in 39 spaces more than the *Port Stephens Development Control Plan 2014* requirement.

The proposed provision of 173 spaces increases the existing supply by 92 spaces meeting the additional parking requirement associated with the Stage 1 and Hotel development (34 and 55) with no concession for the removal of the third green. During periods of absolute peak demand (Christmas, New Years etc) there is capacity for additional parking on street consistent with the existing situation. The removal of the five spaces on Port Stephens Street will have a minimal impact with the surveys demonstrating available parking on the subject site.

Adequate bicycle parking (3 bikes) shall be provided on site as required by the Port Stephens Development Control Plan.

Access

The existing access points will continue to provide for the subject site with vehicle access to the carparks provided from Port Stephens Street and Swan Street.

An additional entry driveway shall be provided on Port Stephens Street to the north of the existing driveway to provide an efficient entry to the main club access. This will allow for entry only with all exits via the existing driveway. Port Stephens Street in this location provides a straight and level alignment allowing suitable forward visibility for approaching vehicles.

Jacaranda Avenue shall provide an access for service vehicles including the courtesy buses as well as limited car parking (9 spaces) in a manner similar to the current arrangement. The width of this driveway is suitable for one way movement of the parked cars and for a single aisle for heavy vehicles being at least 4 metres wide. An on site management plan for the service vehicles and loading dock shall allow for the one way entry or exit of service vehicles.

All vehicles will be able to enter and exit the site in a forward direction.

Servicing Requirements

Servicing requirements for the subject site shall be similar to the existing situation and include deliveries of food and beverages and pick up of linen etc along with waste collection. Service vehicle movements are estimated to be up to six vehicles per day.

Waste collection for the Bowling Club shall continue to be from Port Stephens Street.

A loading dock within the subject site shall be accessed off Jacaranda Avenue. This loading area has been designed to allow for the swept path of the design vehicle. The loading dock and the movement of service vehicles will be the subject of an on site management plan to provide for one vehicle only on site at a time and to allow for the one way movement of service vehicles along the service access to ensure trucks can enter and exit the site in a forward direction. This management plan may include restricting the parking along the service driveway during loading dock hours to be for staff only to avoid the potential for vehicle conflicts.

Traffic Impacts

A review of the operation of the roundabout intersection of Glenelg Street and Port Stephens Street indicates that with a total of 609 vph through the roundabout in the PM peak, there is adequate capacity for additional trips attributed by the Proposal (16 vph) to approach along Glenelg Street to turn left into Port Stephens Street. These additional trips will have a minimal impact on the operation of the roundabout with no change to the overall delays and queues.

Construction Traffic

The demands for construction traffic will be manageable across the local streets.

The majority of deliveries are anticipated to be managed on site. Any requirements for a construction work zone along the site frontage will be confirmed in conjunction with contractors once appointed.

Traffic demands will be within the capacity of the local streets with adequate parking available either onsite or along the Port Stephens Street or Swan Street frontages.

Conclusion

The overall impact of traffic associated with the upgrades will be minimal and within the capacity of the local streets. The Proposal will have a minimal and acceptable impact over the existing use of the subject site.

5.10 VISUAL

The Visual Impact Assessment (**Appendix B**) prepared as part of this Development Application was prepared in accordance with the requirements of *Guidelines for Landscape Character and Visual Impact Assessment* (RMS, 2013).

This section provides a summary and recommendations in relation to visual impacts prepared by *Terras Landscape Architects* in the Visual Impact Assessment. To provide the full context of the Visual Impact Assessment it should be reviewed and considered in its entirety.

The Visual Impact Assessment provides a detailed assessment of the visual impacts of the Proposal including analysis from a number of viewpoints. Photomontages were also used to review the existing subject site in Swan Street and Port Stephens Street with the proposed approximate extents of building mass. Refer to **Figure 7** and **Figure 8** respectively.



Figure 7 - Existing (top) and indicative photomontage (bottom) showing approximate extents of building mass along Swan Street (Source: Terras Landscape, 2023)



Figure 8 - Existing (top) and indicative photomontage (bottom) showing approximate extents of building mass along Port Stephens Street (Source: Terras Landscape, 2023)

A review of the visual catchment of the Proposal showed that views of the subject site were generally limited to within the immediate vicinity of the Proposal and where further afield only filtered views were accessible due to stands of existing mature vegetation.

The Proposal although higher than other development in the area for the most part sits comfortably within the landscape due to existing mature vegetation surrounding the subject site and associated with the Hunter River. The Proposal will have a low accumulative visual impact on the surrounding area, with the exception of immediate proximity views and views immediately north via a narrow view corridor from the Raymond Terrace Boat Ramp to the Hunter River.

Where the development is visible from the rural lands to the north of the subject site and Seaham Bridge, the distance to the subject site is such that the Proposal will be difficult to make out as the river side vegetation provides a vegetation buffer obscuring the majority of the Proposal. Suggested mitigation measures included:

- Use of non reflective, recessive colours to the building facade of the hotel
- Implementation of landscaping as proposed in the landscape scheme with priority given to canopy planting
- Articulation of the facade of the hotel

The final design of Proposal incorporated all three mitigation measures. Refer to Section 3 of this SOEE for a review of the design considerations of the Proposal.

5.11 WASTE MANAGEMENT

A Waste Management Plan was prepared as part of this Development Application by *Monteath and Powys* and is attached as **Appendix T**. The Waste Management Plan was developed using the *EPA Better Practice Guide for Waste Management & Recycling in Commercial and Industrial Facilities – December 2012*.

This section provides a summary and recommendations in relation to waste impacts prepared by *Monteath and Powys* in the Waste Management Plan. To provide the full context of the Waste Management Plan it should be reviewed and considered in its entirety.

Demolition and Construction Waste

A Construction Environmental Management Plan (CEMP) is to be prepared prior to construction. The CEMP is to provide transparency and demonstrate a commitment to environmental conservation during the demolition and construction phases, and provide a management framework to address potential waste streams associated with the demolition and construction of the project. The details of the Waste Management Plan should be considered as part of the CEMP.

Bowling Club

Bin Summary

Garbage

- 5 x 1100L Mobile Garbage Bin(s)(MGB) collected three (3) times weekly.

Recycling

- 5 x 1100L MGBs collected three (3) times weekly.

Waste will be collected by private contractor to an agreed schedule. This report assumes that collections for both waste streams will be collected three (3) times weekly. The Proposal has adequate storage area available for the 10 bins required.

Prior to collections, the building manager will be responsible for ensuring all bins are stored neatly at the pickup location for ease of servicing.

Bowling Club waste collection is to occur off Port Stephens Street from the nominated pickup zone. Bins are wheeled from the appropriate bin store during time of collection and then returned to the appropriate store after pickup.

Hotel

Bin Summary

Garbage

- 3 x 1100L MGBs collected three (3) times weekly.

Recycling

- 3 x 1100L MGBs collected three (3) times weekly.

Waste will be collected by private contractor to an agreed schedule. This report assumes that collections for both waste streams will be collected three (3) times weekly. The Proposal has adequate storage area available for the 6 bins required.

Prior to collections, the building manager will be responsible for ensuring all bins are stored neatly at the pickup location for ease of servicing.

Hotel waste collection to occur on-site from the nominated bin pickup zone. Bins are to be wheeled from the relevant bin store by staff to the pickup zone as required, then returned to their appropriate store after collection.

A suitable plan of management is to be implemented to ensure no crossover between waste collection and supplier delivery timeframes. Plan of management is to also nominate the methods of traffic control to the one-way side street off Jacaranda Avenue to ensure no patron vehicles enter site through this route until all collection or delivery vehicles have left.

Collection Area

The loading dock has been reviewed by *EJE Architecture* to confirm the waste collections, access and egress for loading and to exit, load requirements as well as collection vehicle. The final number of truck movements will depend on management of waste contract and the final configuration of waste and recycling arrangements.

Conclusion

Waste audit and management strategies have been recommended along with a review of the anticipated waste generation rates and required storage and pick arrangements.

It is considered that the Proposal is consistent with the provisions of the *EPA Better Practice Guide for Waste Management & Recycling in Commercial and Industrial Facilities – December 2012*.

Through the implementation of the mitigation measures of the Waste Management Plan and the buildings design it is considered that any potential waste impacts can be mitigated and minimised.

5.12 CUMULATIVE ENVIRONMENTAL IMPACTS

As discussed above, the impacts resulting from the Proposal are considered minor in nature. It is therefore considered that any cumulative impacts can be managed through the implementation of the various management measures as already in place and those proposed on the subject site as part of the Proposal as demonstrated in the supporting documentation and this SOEE.

6. SITE SUITABILITY

This SOEE has determined in detail that the subject site is suitable for the Proposal. In summary, suitability is achieved given:

- The Proposal comprises development permitted with consent and will be consistent with the relevant zone objectives.
- The overall Proposal will result in a quality urban design and architectural outcome that will strongly contribute to the amenity, tourism and allure of the locality.
- The subject site is ideally located adjacent to a range of public and private services and transport options.
- There are no prohibitive constraints posed by the Proposal that cannot be mitigated and managed during the construction process and the ongoing use of the Bowling Club and Hotel.
- The Proposal is consistent with the Port Stephens Local Strategic Planning Statement and is aligned to the plan for investment in the strategic centre of Raymond Terrace and is further aligned to Council's priority for the development of a major hotel in the local government area.
- The Proposal will continue and grow employment opportunities within Raymond Terrace and bring both positive economic and community benefits.

7. SUBMISSIONS

The application will be notified in accordance with the Council's policies and their discretion. Any submissions made in accordance with the EP&A Act or the *Environmental Planning and Assessment Regulation 2021* will be considered by the Applicant as part of the assessment of the Development Application.

8. PUBLIC INTEREST

The public interest is best served through the orderly use of the land for purposes which it is zoned and in accordance with the relevant planning controls and policies. The Proposal comprises development permissible with consent, is consistent with applicable planning instruments and is highly compliant with the relevant policies and controls governing the development of the subject site as demonstrated within this SOEE.

The granting of development consent to the Proposal is therefore considered to be in the public interest.

9. CONCLUSION

This SOEE is to accompany a Development Application to Port Stephens Council seeking development consent for alterations and additions to Raymond Terrace Bowling Club and the construction of a six-storey 50 room hotel including 5 serviced apartments, restaurant, bar, swimming pool, gym, function space and office spaces to be completed in three (3) stages.

The SOEE has demonstrated compliance with the matters referred to in Section 4.15(1) EP&A Act and the matters required to be considered by the consent authority. Refer to **Table 2** in Section 4.3 of this SOEE.

The Proposal has been well considered and will result in positive development for the subject site.

It is therefore submitted that Council support and approve the Proposal.

