

# Site Compatibility Certificate Application

Seniors Housing  
Cnr Bonny View Drive and Ocean Drive  
Bonny Hills

November 2021  
(updated March 2022)



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# Site Compatibility Certificate Application

## Cnr Bonny View Drive and Ocean Drive, Bonny Hills

Kleinfelder Project: 20221449

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# 1 INTRODUCTION

Kleinfelder Australia Pty Ltd (Kleinfelder) has prepared this report as part of an application for a Site Compatibility Certificate (SCC) for self care seniors housing on land at Bonny View Drive, Bonny Hills.

This SCC is submitted to the Department of Planning, Industry and Environment (DPIE) under the provisions of Clause 24 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors Housing SEPP).

This report prepared for the SCC application describes the site, its environs as well as the proposed development having regard to the criteria identified in Clause 24 and 25 of the Seniors Housing SEPP.

## 1.1 SITE DETAILS

The site subject of this SCC application is part Lot 4 DP 844371 and part Lot 1 DP 1018270, Bonny View Drive (corner of Ocean Drive), Bonny Hills (Figure 1 and 2). The site is in the Port Macquarie Hastings local government area (LGA). The subject site is approximately 118 hectares in size, however, the proposed seniors housing development will occupy approximately 21 hectares (18%). An additional area of approximately 4 hectares outside of the seniors housing area (but on land owned by the proponent) will be managed for asset protection zone (APZ) requirements.

## 1.2 WHY A SITE COMPATIBILITY CERTIFICATE

The subject site is zoned RU1 Primary Production under the Port Macquarie Hastings Local Environmental Plan (LEP) 2011. Seniors Housing is not permissible with consent in the current zone and as such a Site Compatibility Certificate under Clause of the Seniors Housing SEPP is required.

It is noted that dwelling houses (and attached dual occupancies) are permissible with consent under the LEP on the subject site.

In regard to Clause 24(1)(a)(i) the site is directly opposite an R1 General Residential Zone (future development area) as identified in Figure 3.



Figure 1: Site Locality Map

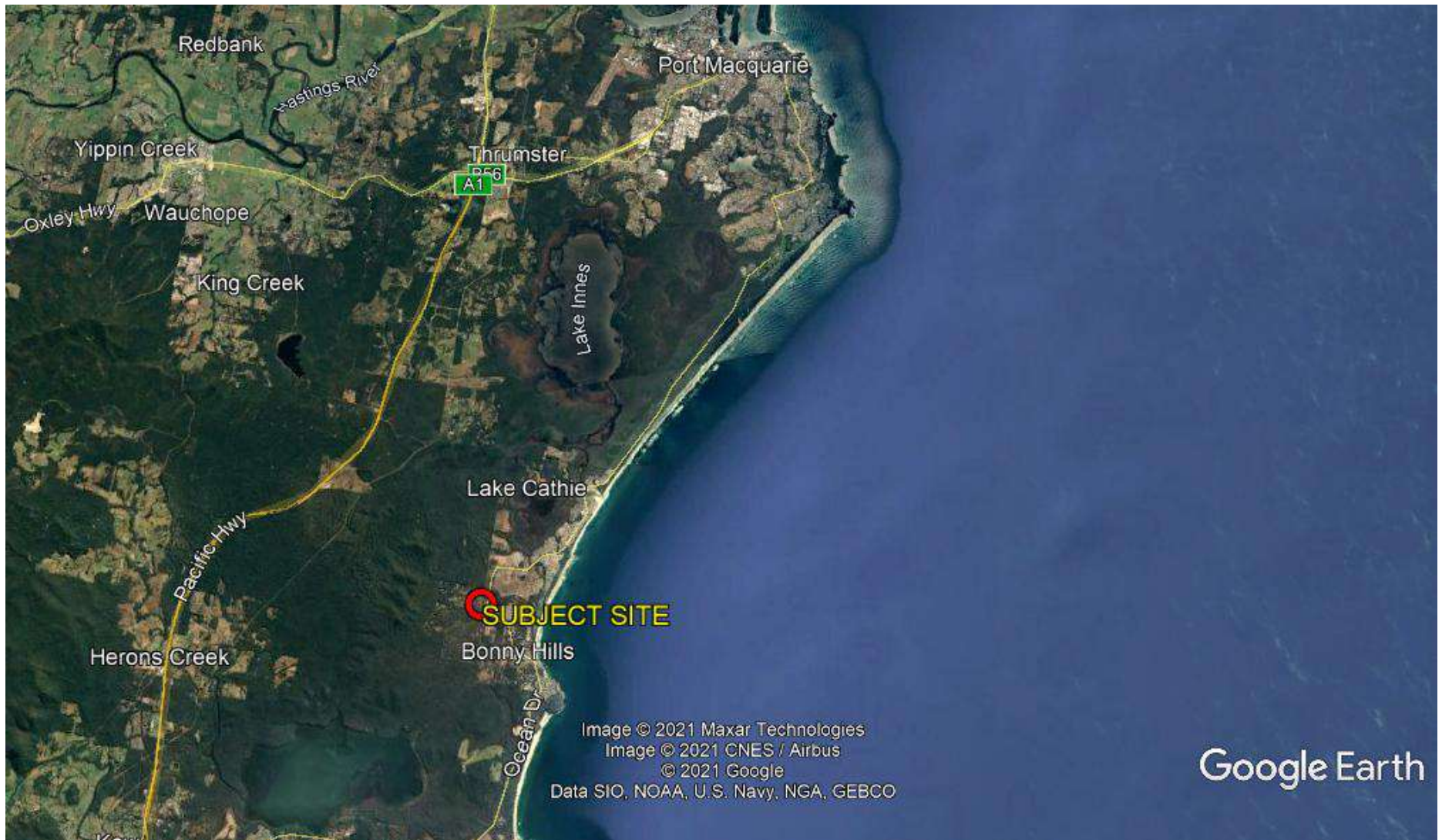




Figure 2: Seniors Housing Location

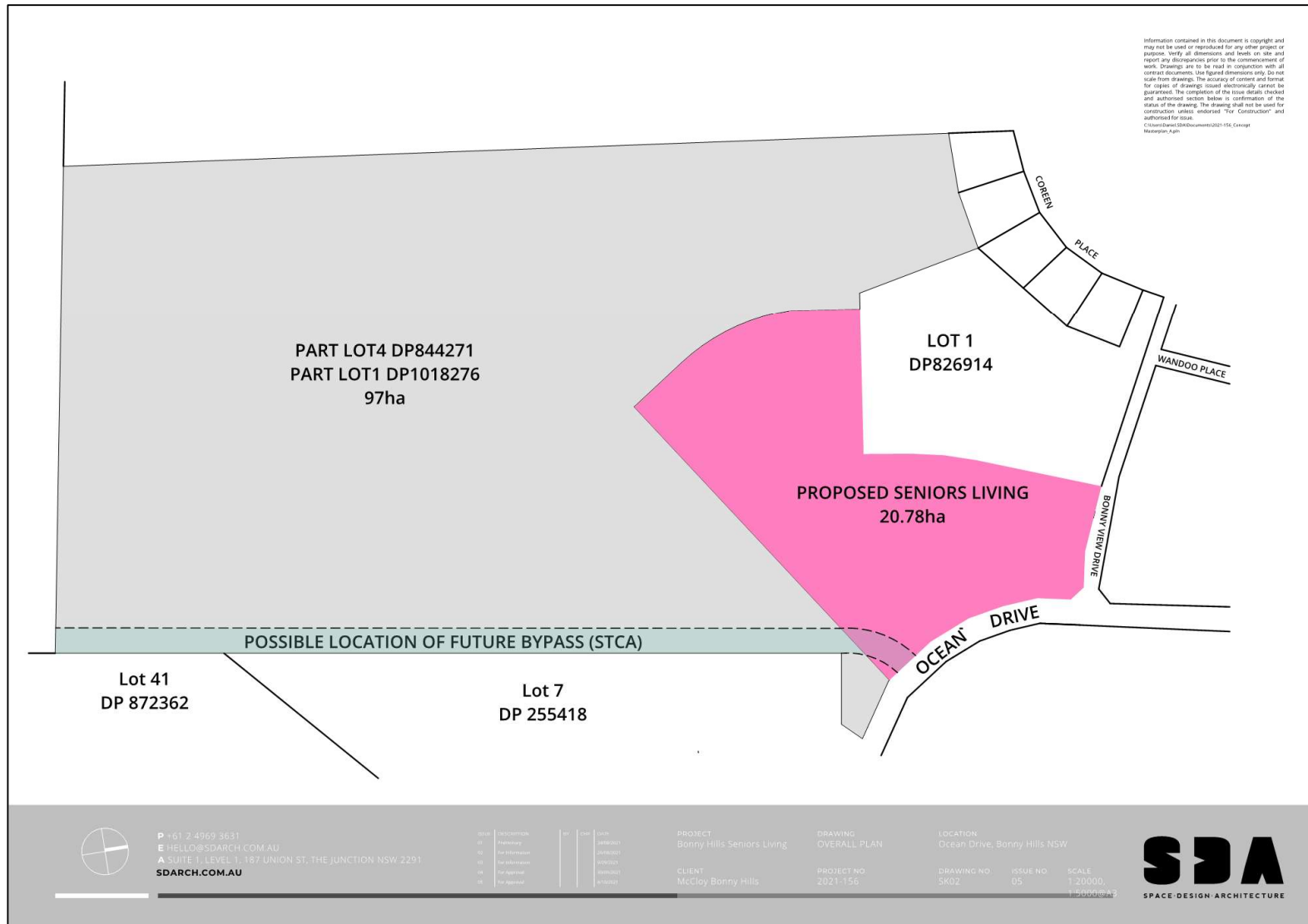
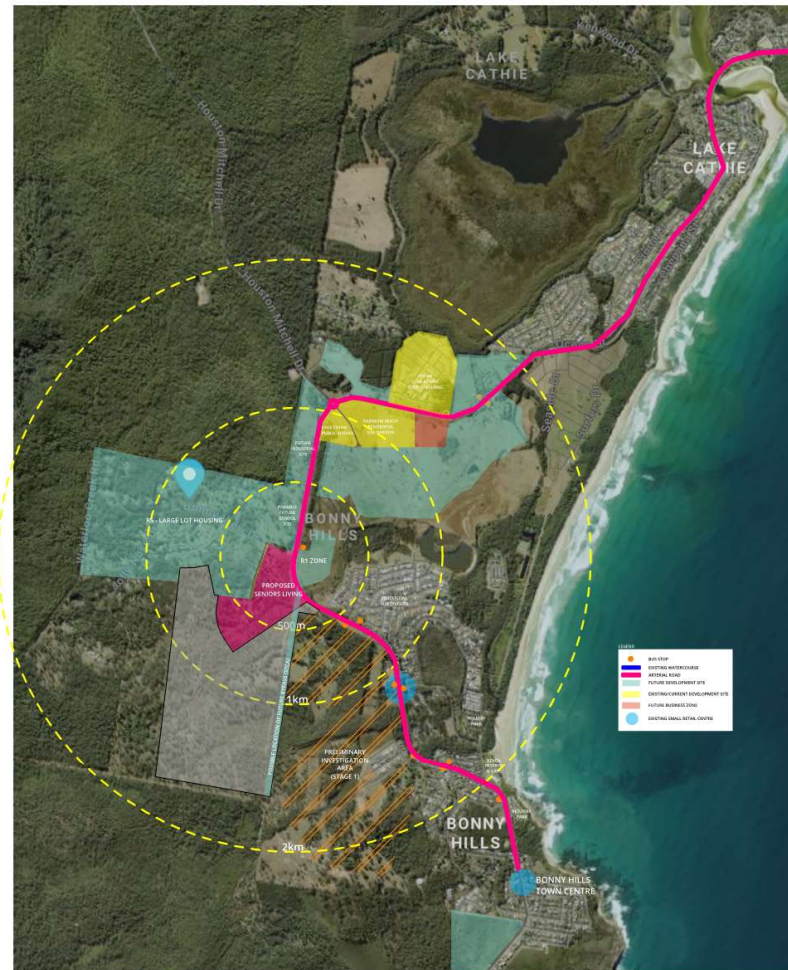
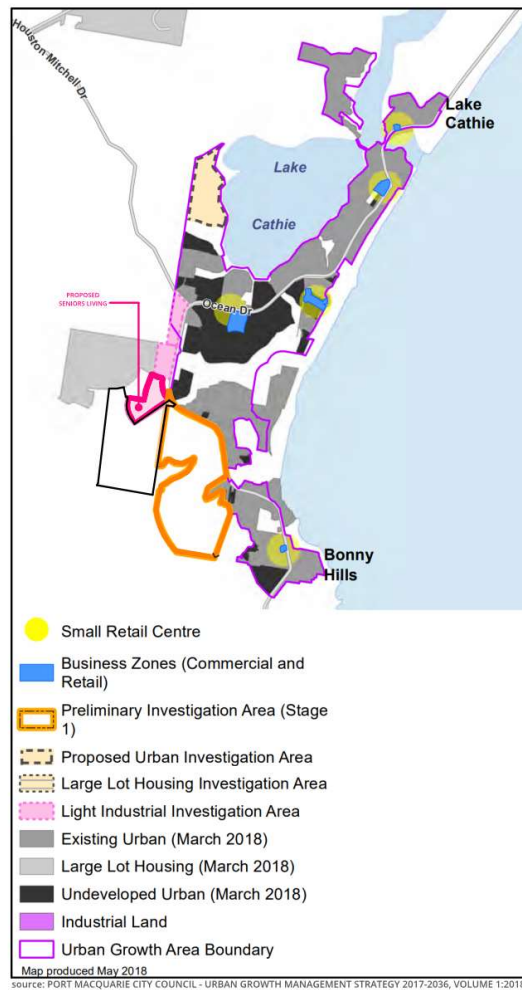






Figure 3: Site Analysis Map



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DATE	DESCRIPTION	BY	DATE
10/05/2021	For Approval		10/05/2021

PROJECT  
Bonny Hills Seniors Living  
CLIENT  
McClay Bonny Hills

DRAWING  
SITE ANALYSIS  
PROJECT NO  
2021-156

LOCATION  
Ocean Drive, Bonny Hills NSW  
DRAWING NO.  
SK01  
ISSUE NO.  
01  
SCALE  
NTS

**SDA**  
SPACE DESIGN ARCHITECTURE





## 2 BACKGROUND

The Ageing Well in NSW: Seniors Strategy 2021–2031 sets out the NSW Government's ten-year plan to respond to the opportunities and challenges of our ageing population. It builds on the NSW Ageing Strategy 2016–2020 and initiatives already underway across government and the community. The strategy has four focus areas:

1. Living in age-friendly environments
2. Participating in inclusive communities
3. Staying safe, active and healthy
4. Being resilient and informed.

In relation to Focus area 1: Living in age-friendly environments, the Department of Planning, Industry and Environment will promote and monitor local government planning for ageing populations through the preparation of Local Housing Strategies. The DPIE Housing Planning Policy unit is assisting in their review of council draft local strategic planning statements (LSPS) to ensure LSPS's identify actions relating to supply of housing in meeting the future needs of the local community, including actions and opportunities for seniors housing.

NSW's ageing population is not a recent occurrence. The NSW Government's 2021-2022 Intergenerational Report identifies that by 2061, 25 per cent of the population will be aged 65 or over, up from 17 per cent today. The proportion of the population aged 80 and over will increase from 4 per cent today to 10 per cent by 2061. The Government is also projecting a 15-fold increase in those aged 100 and over, up to almost 33,000 people in 2061.

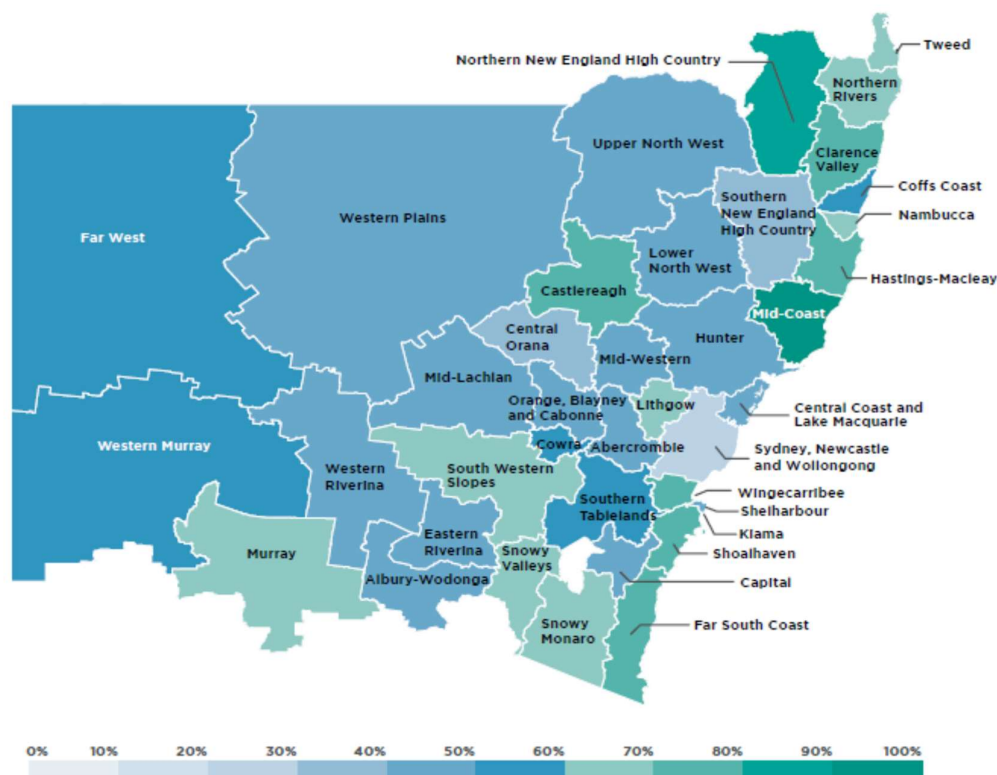
Nonetheless, the impacts of the ageing population will be different in geographical localities. The Intergenerational Report notes the north coast (which includes the subject site) and south coast of NSW will experience age dependency ratios of over 70% (Figure 4). This trend is driven by the increasing movement of retirees to desirable coastal locations as well as younger people moving away (generally for education/work purposes).

In Port Macquarie Hastings LGA the Local Strategic Planning Statement as also noted the issue of an ageing population. As Figure 5 shows, the Local Strategic Planning Statement identifies that by 2041 there will be an increase of 66% in the number of people aged over 65 years in the local government area, which will place pressure on the housing market to deliver more diversity in the housing stock for an ageing population and decreasing household sizes.



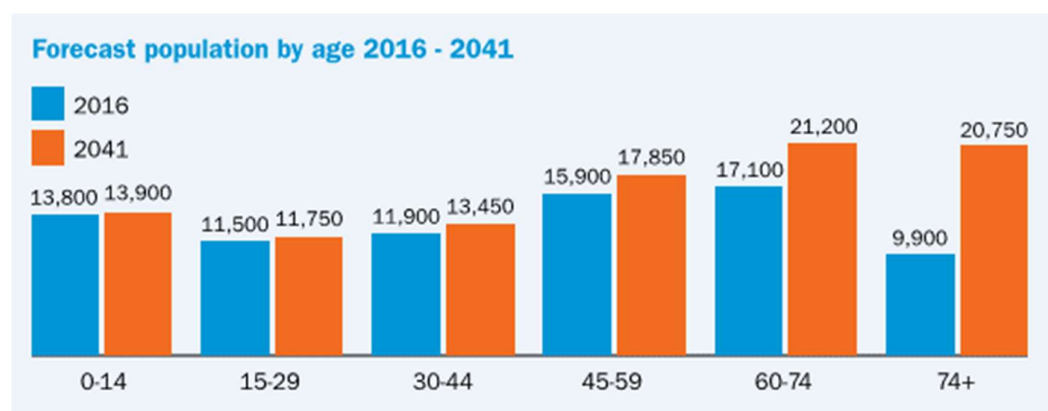
**Figure 4: Aged Dependency Ratios for Regions, 2041**

(source: DPIE, NSW Treasury)



**Figure 5: Projected Population Increase by Age Group, Port Macquarie Hastings, 2016-2041**

(source: Port Macquarie Hastings Local Strategic Planning Statement)



Number of people aged 65 and over will increase by **66%**



## 3 THE PROPOSED DEVELOPMENT

This Site Compatibility Certificate is being lodged for a proposed Seniors Housing development on the subject site. The development will be on the corner of Bonny View Road and Ocean Drive.

The proposed development includes:

- Serviced Self Care Housing as defined under Clause 13 of the Seniors Housing SEPP.
- Up to 241 Serviced Self Care Housing Units/Independent Living Units of 1 storey only.
- Ancillary Facilities such as community building, pool, gym, bowling green, tennis court, landscaped open space areas and paths, mens shed, and caravan parking.
- Community Bus.

A concept plan of the proposed development is presented in Figure 6. Dwelling configurations will include two and three bedroom units with car parking, and some with additional studies. The development is proposed in ten stages (Figure 7).

Overall, the development will occupy 21 hectares of a larger lot (118 hectares) with an additional 4 hectares for APZ management. The buildings will be of single storey construction.

### 3.1 CONSULTATION

A meeting was held by the proponent and Port Macquarie Hastings Council on 12<sup>th</sup> October 2021. Issues discussed at the meeting included availability of services in the area and future development application requirements. Matters discussed at the meeting and comments are presented in Table 1 below.

**Table 1: Items Raised By Council During Consultation**

Item	Comments
<b>Re-Zoning</b>	
Lot 4 DP 844371 is largely outside of a mapped urban growth area (UGA), although contains a small narrow strip of land along the eastern boundary identified as part of a UGA	The proponent owns 118 hectares of land, of which part is within a UGA. A future rezoning is being discussed with Council across a larger area than this SCC proposal.
Lot 4 is environmentally constrained. It contains large areas of native vegetation, Coastal Wetlands and Proximity Areas to Coastal Wetlands. The North Coast Regional Plan maps the site as comprising High Environmental Value (HEV) land	It is difficult to tell from the regional levels maps if the site has <i>Potential High Environmental Value (PHEV)</i> as identified in the North Coast Regional Plan. It is noted that the PHEV data used to identify high environmental values in this Plan is intended to provide a regional-level overview for the purposes of strategic planning, and this data will continue to be updated as new information becomes available. Biodiversity has been addressed in this proposal. The coastal wetlands on the site are to the south of the proposed seniors living development.
The NSW Government Mineral Resources Audit identifies important mineral resources, potential resources and transition buffers	The site is identified as having a significant mineral resource in the southern part of Lot 4 being serpentinite.
Lot 4 is Bushfire Prone	The site is in a bushfire prone area. Appendix A contains a bushfire threat assessment.



Item	Comments
Noted also is the limited capacity of the Bonny Hills STP, and no priority plans to accommodate additional capacity beyond planned growth boundaries	Council's website identifies that the Lake Cathie/Bonny Hills Sewerage Treatment Scheme has a capacity of 12,000 EP. It is noted that any augmentation will be at the developers cost.
The most appropriate pathway to have the land considered for re-zoning in the future would be through the next update to Council's Urban Growth Management Strategy	This process for the entire Lot 4 and Lot 1 is being pursued separately.
<b>Planning</b>	
If an SCC is approved and a DA is to be lodged the following need to be considered"	
State Environmental Planning Policy (Building Sustainability Index: BASIX)	Noted, would be submitted with the DA.
State Environmental Planning Policy (Coastal Management) 2018	There is a coastal wetland in the southern part of the larger Lot 4. No development is proposed near this wetland.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Noted, the SEPP including design criteria will be addressed as part of the DA.
State Environmental Planning Policy (Infrastructure) 2007 - Referral to the Essential Energy will likely be required.	Noted, any upgrades would at the developer's expense.
State Environmental Planning Policy (Primary Production and Rural Development) 2019	The site is not on state significant farmland.
State Environmental Planning Policy (State and Regional Development) 2011	The development may be required to be determined by a regional planning panel. The CIV would be identified as part of the DA.
State Environmental Planning Policy (Koala Habitat Protection) 2020.	A preliminary flora and fauna assessment has been prepared for this SCC. Further detail would be provided in a BDAR to be prepared for a DA.
State Environmental Planning Policy No.55 - Remediation of Land	Initial due diligence did not identify any potential contaminated land on site or in the vicinity. Further detail can be provided with the DA.
State Environmental Planning Policy No.64 - Advertising and Signage	Any relevant signage that requires consistency with SEPP 64 would be lodged as part of the DA.
The site is zoned RU1 primary production under Port Macquarie-Hastings Local Environmental Plan (LEP) 2011. Seniors housing is initially not identified as being permissible with consent in the RU1 zone. The proposed landuses would need to reflect and be consistent with a SCC if obtained from the DPIE.	Noted.



Item	Comments
In accordance with clause 4.1 of the LEP, the minimum standard lot size is 40 hectares applying to the site. The proposed lots are to meet the minimum lot size provision of 40 hectares applicable to the site or if any variation is proposed that a detailed justification be provided within the scope of Clause 4.6(6). The application will need to be accompanied by a written request justifying the variation to the LEP and shall specifically have regards to the DPIE Varying Development Standards Guide 2011 and Clause 4.6(3) of the LEP. The proposal initially appears to propose a 2 lot subdivision with a 97 hectare and 20.78 hectare lot and doesn't initially look permissible under clause 4.6(6).	The site owned by the proponent is approximately 188 hectares. At this stage a subdivision is not required. The maps prepared for this SCC show where the seniors housing dwellings would be located. If a subdivision were to occur then a Clause 4.6 variation to a development standard would be lodged with the DA.
Application to address general provisions and relevant specific provisions of Development Control Plan (DCP) 2013. Any variations to be adequately justified against the relevant objectives.	Noted, would be provided as part of the DA.
Details and calculations of required off-street parking to serve the development consistent with the parking rates identified in DCP 2013.	Noted, would be provided with the DA.
Site is mapped as bushfire prone land triggering integrated development provisions. A specialist Bushfire assessment report required and referral to NSW Rural Fire Service will be undertaken as part of the assessment process	Noted. A bushfire threat assessment has been prepared for the seniors living proposal (Appendix A).
A specialist Aboriginal Archaeological assessment of the site is required	A review of the AHIMS database did not identify and items recorded on the site. Further assessment would be detailed with the DA.
Site is located within the flood planning area. Provisions of clause 7.3 of LEP 2011 to be addressed	Council's flood planning map does not cover the site. It is noted that surface water impacts will need to be addressed as part of the DA.
An ecological assessment will be required addressing the Biodiversity Conservation Act	A preliminary flora and fauna assessment has been submitted with this SCC. A BADR would need to be prepared in accordance with the Biodiversity Conservation Act as part of the DA.
If any works are within 40m of watercourse will require a Controlled Activity Approval and trigger Integrated development provisions.	Noted.
Details of any staging to be clearly outlined	A staging plan has been prepared for this SCC.
Details of all existing and proposed ground and floor levels on the site and surrounding public domain areas to be clearly identified.	A masterplan/concept plan has been prepared for this SCC application which shows built areas and open space/landscaped areas. Additional detailed survey would be prepared and lodged with the DA. All dwellings are proposed to be single storey only.
Details of estimated earthworks fill being imported and removed from the site to be detailed.	Noted. Civil engineering designs would be submitted with the DA.



Item	Comments
A specialist acoustic assessment prepared by a suitably experienced person shall consider the acoustic impacts of Ocean Drive to the future dwellings and the likely impacts of the proposal on neighbouring residential properties	Noted, an acoustic assessment would be submitted with the DA.
Details of proposed waste management and collection arrangements noting that private waste collection arrangements will likely be required.	A waste management strategy/plan would be submitted with the DA.
Development contributions will apply.	Noted.
<b>Water and Sewer</b>	
A Water Supply Strategy and plans are required for the whole of the development, stage by stage. The Water Supply Strategy and Plans are to indicate the proposed number of ETs generated from the proposed development and detail any augmentation that is required to service the proposed development	A water supply strategy would be prepared with the DA. Any augmentation would be at the developer's expense.
A stormwater management plan must be prepared in accordance with the requirements of AUSPEC D5 and D7 and the requirements of relevant Australian Standards, demonstrating how all stormwater and surface water discharging from the proposed development site, buildings and works will be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of Council	A stormwater/surface water management plan would be prepared as part of the DA.
<b>Engineering</b>	
Works within the road reserve and/or on Council owned assets will require a refundable bond equal to 130% of the cost of the works (to be held during construction until acceptance of the works). 2. Ocean Drive is a TfNSW 'classified' road owned by Council.	Noted. TfNSW would be consulted during the DA process.
There are no plans in Council's current Works Program for the upgrade of this section of Bonny View Drive. Any upgrade required by the development will be at the developer's cost	Noted.
A Traffic Impact Assessment (TIA) will be required	A TIA has been prepared for this SCC.
The development is outside the areas covered by PMHC adopted Flood Studies. A Flood Study to quantify the flood levels and flood behaviour for the flood events	A stormwater/surface water management plan would be prepared as part of the DA.



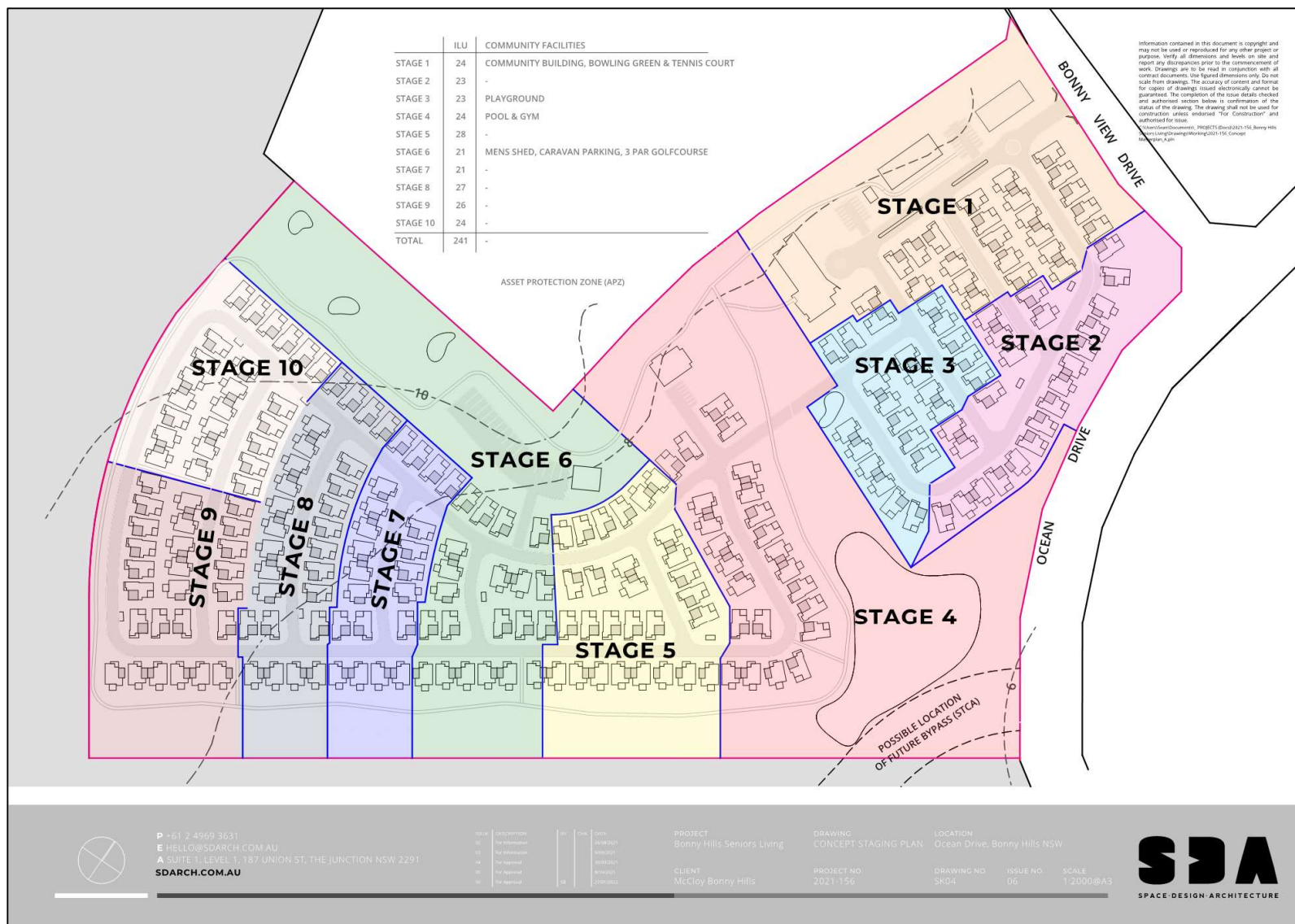


Figure 6: Concept Plan





Figure 7: Staging Plan





### 3.2 THE PROPOSED DEVELOPMENT

The proposed development will include the following common facilities:

1. Community building
2. Pool/Gym
3. Men's shed and caravan parking
4. Bowling green
5. Bowls store
6. Tennis court
7. 3 par golf course
8. Walking paths
9. Playground
10. Convenience store.

The community building will be provided in Stage 1. The Community Building will contain a library, health consulting rooms, hair salon, office/admin, manager's office, sales office, reception, kitchen, dance floor/stage, toilets, ATM, cleaners store, and associated seating. The bowls store, bowling green, tennis court and playground will also be provided within Stage 1.

The pool/gym and walking paths will commence in Stage 4, while the men's shed and caravan parking will be provided in Stage 6. The pool/gym which contains the convenience store will not be provided as part of Stage 1, so it is proposed that the office/administration be converted to a contemporary convenience store until the pool/gym building is constructed as part of Stage 4. These common facilities and their associated staging are identified in Figure 7. More detailed plans are provided in Appendix G.

In addition to these common facilities each dwelling unit within the proposed development will be equipped with the following features, which will allow residents to be self sufficient:

- Open plan living
- Stone benchtops
- Stainless steel appliances
- Soft close kitchen drawers
- Custom designed cabinetry
- Built in wardrobes
- Ducted air conditioning
- Internal laundry
- Private courtyard
- Automatic garage door with remote
- Solar power
- Private enclosed garage
- 24 hour emergency call system.



These internal facilities are based on the floor plans of dwelling units that are currently being delivered at McCloy Group's successful Blueheath at the Bower ([www.blueheath.com.au](http://www.blueheath.com.au)).

The on site community facilities will also include a community bus which will operate regular services, as well as being available outside of those regular services to:

1. Ocean Drive, Bonny Hills (3km or 5 minute drive), which contains:
  - a. Bonny View Store and associated petrol station
  - b. Bonny Hills Plaza, which includes a pharmacy, dentist, medical centre and café
  - c. Bonny Hills Beach Hotel.
2. Port Macquarie (19km or an 18 minute drive), which contains:
  - a. Port Macquarie Base Hospital
  - b. Full-line supermarkets, such as Coles and Woolworths
  - c. Port Central Shopping Mall
  - d. Government administration buildings (e.g. Hospital, Council, Centrelink)

If the community bus is busy, then a public bus stop is located on the corner of Ocean Drive and Bonny View Drive, less than 100m from the entrance. As recommended in the traffic impact assessment (see Section 5.4 below) Bonny View Drive will be upgraded to cater for the increase in traffic, and a formal pedestrian connection constructed between the development and the existing bus stop on Ocean Drive.

### **3.2.1 Care Providers**

As part of addressing the Seniors Housing SEPP a commitment is being made by the proponent to ensure services are provided to the development such that the proposal is a serviced self care housing development. This commitment is presented in Appendix F. In addition, the proponent has identified at least one company, Just Better Care, on the Mid North Coast as a provider for the site. A letter outlining Just Better Care's ability to service the site is presented in Appendix E. The proponent will commit that such a service provider will be utilized on the site.





## 4 PLANNING CONSIDERATIONS

There are a number of key planning policies and legislation that are relevant to the proposed seniors housing, which are addressed below.

### 4.1 NORTH COAST REGIONAL PLAN 2036

The North Coast Regional Plan 2036 is a twenty year blueprint for the future of the North Coast of NSW. The Plan includes the Port Macquarie Hastings local government area and therefore the subject site. The NSW Government's vision for the North Coast is to create the best region in Australia to live, work and play thanks to its spectacular environment and vibrant communities. To achieve this vision the Government has set four goals for the region:

- The most stunning environment in NSW.
- A thriving, interconnected economy.
- Vibrant and engaged communities.
- Great housing choice and lifestyle options.

The Plan notes that the North Coast Region will accommodate an additional 76,200 people by 2036, which will require the need for 46,000 new homes. Importantly, almost one-third of residents will be aged over 65 years, and couple-only and single-person households which will represent the largest share of households. The Plan identifies that these demographic changes will not only increase the demand for housing, but also the need for a greater variety of housing.

Specifically, Direction 23 (Increasing Housing Diversity and Choice) identifies the need to support the changing population and dwelling needs, a 40% target has been set for new dwellings to be in the form of apartments, dual occupancies, townhouses, villas and homes on lots less than 400 square metres, by 2036. The Plan, subsequently, notes that Local growth management strategies should be used to consider local housing needs based on household and demographic changes. These strategies should plan for a range of housing choices, including retirement villages, nursing homes and opportunities to modify existing dwellings to enable occupants to age in place.

The Plan also contain local government narratives. For Port Macquarie Hastings local government area regional priorities include:

- Manage and support growth in Port Macquarie.
- Grow community connectivity between centres and with Kempsey Shire.
- Deliver housing and job opportunities in Port Macquarie, Wauchope, Lake Cathie, Bonny Hills and Camden Haven.
- Protect environmental assets and important farmland areas that sustain the agricultural and tourism industries.
- Maximise opportunities associated with growth in the Hunter region and the increased connectivity provided by the Pacific Highway upgrade and digital technology.

The subject site is in Bonny Hills which is identified to deliver future housing opportunities. Based on the Regional Plan the subject site is surrounded by existing residential areas but also future growth areas will adjoin the site. The West Bonny Hills urban growth area covers part of the subject site, with the rest of the growth area to the east and south east of the subject site.

The proposed development, being for Serviced Self-Care Housing, will not be inconsistent with the Directions identified in the Regional Plan. The proposal will allow individuals to downsize to a form of residential accommodation that provides Seniors Living assistance that would allow current (and future) residents of the Port



Macquarie area to age in place. The proposed Seniors Housing would therefore help meet the strategic need for more diverse housing in order to meet the needs of an ageing population as recognised in the Regional Plan.

#### 4.2 LOCAL STRATEGIC PLANNING STATEMENT 2020

The Port Macquarie-Hastings Local Strategic Planning Statement (LSPS) “Shaping Our Future 2040” (Shaping Our Future) is the core strategic land-use planning document for the Port Macquarie-Hastings Local Government Area (LGA). The LSPS outlines the vision for land-use planning in the LGA over the next 20 years and sets the direction and vision the LGA’s environmental, social and economic land-use needs. The LSPS will guide all land-use planning decisions into the future and provides direction for actions to be implemented by Council, other levels of government and the private sector over time.

The LSPS has nineteen Planning Priorities. Of relevance to the proposed seniors housing development is Planning Priority 7 (Provide for a diversity of housing in the right locations) and to a lesser extent Planning Priority’s 6, 8 and 9. The LSPS is more of a framework and overarching document which will be implemented through the future housing and land use strategies.

Like the Regional Plan the LSPS identifies the subject site adjoins existing and future residential areas, with part of the West Bonny Hills urban growth area covering the site with a larger portion adjacent to the subject site (refer to Figure 3).

#### 4.3 PORT MACQUARIE REGIONAL CITY ACTION PLAN 2036

The Port Macquarie Regional City Action Plan was released in August 2021. The Plan applies to the city of Port Macquarie. The Plan does not specifically apply to the subject site.

#### 4.4 URBAN GROWTH MANAGEMENT STRATEGY 2017-2036

The Port Macquarie Hastings Urban Growth Management Strategy 2017-2036 identifies opportunities for new economic development and housing that will meet the future needs of our growing community. The aim of the Strategy is to achieve well planned growth in the right places, to create a more diverse and prosperous economy and maintain a healthy environment and great places to live.

Like other documents the Strategy forecasts that by 2036 some 36% of the population of Port Macquarie Hastings will be over 60 years of age which will be significantly higher than the State average. Further, the Strategy identifies that Lake Cathie and Bonny Hills will experience significant population growth in the period to 2036 given the natural attraction of the coastal villages and the relatively short commute to Port Macquarie. The area is anticipated to be the second fastest growing urban area in the Port Macquarie-Hastings local government area.

The Strategy specifically identifies that (Vol 2, p.23):

*The challenges that we will face in the coming 20 years from an ageing population include a decline in the percentage of our population that is active in the workforce and the need to encourage builders and developers to provide a variety of housing products that fit a wide range of lifestyle choices, with a particular focus on providing dwellings that suit an older population.*

It is noted that the Strategy identifies a target of 1382 new dwellings will be required to 2036 in Lake Cathie/Bonny Hills based on projected population growth. This equates to about 70 new dwellings per year according to the Strategy. Council also identify that a new release area at West Bonny Hills (adjacent to the subject site) will be investigated in the short term (refer to Figure 3). In addition, the Strategy also identifies the site immediately to the north of the subject site as a potential light industrial area or a school site.

Action 11 of the UGMS identifies a short term action for the Council is to commence investigations and preparation of an outline plan for the West Bonny Hills Investigation Area.

#### 4.5 DRAFT LOCAL HOUSING STRATEGY, 2021

The Draft Port Macquarie Hastings Local Housing Strategy was exhibited in July 2021. The Strategy identifies that the Port Macquarie-Hastings’ population is expected to age significantly over the next 20 years. The





information presented state that the number of retirees (60-69) and seniors (70-79) has grown significantly between 2011 and 2021, and this trend is expected to continue. Areas in the LGA with a high representation of couple only households are the areas where there is a high proportion of retirees and seniors and includes Camden Haven East and West, Hastings River Canals and Lake Cathie-Bonny Hills. Historically, Port Macquarie-Hastings average household size has shrunk from 2.6 to 2.3 in the 25 years between 1991 and 2016 and is projected to shrink further from 2.3 to 2.15 by 2041. The Strategy notes this trend is likely due to an ageing population resulting a growing number of empty nesters, retirees, seniors and the elderly living in a couple or on their own.

Interestingly, the Strategy states that the ageing population and significant increase in lone person and couple only households are likely to result in a growing unmet demand for smaller and low maintenance dwellings.

The Draft Strategy does conclude that there is a gap in the Council's understanding of housing needs for students and seniors – two of the cohorts expected to grow the most in coming decades. To address this, Council is proposing to undertake further work to identify what adjustments may need to be made to policies to unlock supply.

In sum, the proposed seniors living will address a need in the local market for an increasing ageing population in Port Macquarie, and allowing people to age in place.

#### 4.6 DRAFT ROAD CORRIDOR STRATEGY

In 2020 Council began the process of preparing a Road Corridor Strategy (RCS). The initial phases included community consultation.

The strategy prioritises on Hastings River Drive, Ocean Drive and Kendall Road (MR538 and MR600). This 54km road corridor links Port Macquarie to neighbouring local towns and villages along the coast, and then inland to Kew and Kendall. The RCS will focus on:

- Preserving the corridor
- Setting out a broad design framework for future transport network upgrades for all users, including traffic, walking, cycling, and public transport
- Defining priorities for future road maintenance, operation, and the safety of all road users.

It is identified that a traffic impact assessment (refer Appendix B) has been prepared for this proposal. Any upgrade works required as part of the impacts of the proposal will be funded as part of a future development application. It is noted though that the previously identified Bonny Hills Bypass was not identified in the RCS. As the bypass has been touted for some time it has been included as part of this SCC application to ensure it can be constructed should the bypass be added to the final corridor strategy.

#### 4.7 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

This SCC is being lodged under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (hereafter Seniors Housing SEPP).

Clause 10 of the Seniors Housing SEPP identifies *seniors housing* to include:

- a) A residential care facility, or
- b) A hostel, or
- c) A group of self contained dwellings, or
- d) A combination of these

Under Clause 13 of the Seniors Housing SEPP 'self contained dwellings' can include *in-fill self care housing* or *serviced self-care housing*. This SCC will be for *serviced self-care housing*.



Clause 13 of the SEPP defines *Serviced self-care housing* as seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care. Residences will include kitchens, laundries, bathrooms etc just like any other normal residential dwelling. The site will be managed and serviced by an aged care provider with an on site manager in place.

The plans presented in Figures 6 and 7 reveal that services such as the community buildings, bowling green, tennis court, pool, gym and men's shed will all be available on the site. Appendix E contains a letter for a service provider identifying that they can service the site as serviced self care housing ensuring consistency with Clause 13 of the SEPP. The proponent also provides a commitment to ensuring the development is a serviced self care housing development (Appendix F).

Appendix G also presents plans of building typologies that show the proposed self contained dwellings on site contain kitchens, laundries, bathrooms etc in line with Clause 13 of the SEPP.

In relation to the community centre, the proponent has constructed several self care facilities (including Maitland and Medowie) which include community centres. The community centres in these facilities include rooms for services (e.g. hairdresser, doctor), library, BBQ area and dining area/servery for common meals, as identified in Section 3.2.

As seniors housing is not permissible with consent under the LEP, a site compatibility certificate can be granted under Clause 24 of the SEPP to allow submission of a future development application (DA). There are requirements under Clause 24 of the SEPP which must be met in order for a site compatibility certificate to be issued (Clause 17 integrates with Clause 24 of the SEPP and is addressed in Table 5 below). These requirements are presented in Table 2 along with the proposed developments consistency with the requirements.

Once the requirements are met there are also additional criteria under Clause 25 and 26 of the SEPP which must be considered as part of a future development application (DA). These criteria are also presented in Table 3 and 4, although it is noted these would be part of the DA process.

**Table 2: Consistency with the Requirements of Clause 24**

Clause 24 Requirements	Comments
(1) This clause applies to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing (other than dual occupancy) if—  (a) the development is proposed to be carried out on any of the following land to which this Policy applies—  (i) land that adjoins land zoned primarily for urban purposes,  (ii) land that is within a zone that is identified as “special uses” under another environmental planning instrument (other than land on which development for the purposes of hospitals is permitted),  (iii) land that is used for the purposes of an existing registered club, or	The site adjoins land zoned primarily for urban purposes (see Section 4.6.1)  Not Applicable  Not Applicable
(b) the development application involves buildings having a floor space ratio that would require the consent authority to grant consent under clause 45.	Not Applicable



Clause 24 Requirements	Comments
(1A) Despite subclause (1), this clause does not apply to a development application made pursuant to this Chapter in respect of development for the purposes of seniors housing if the proposed development is permissible with consent on the land concerned under the zoning of another environmental planning instrument.	Not Applicable
(2) A consent authority must not consent to a development application to which this clause applies unless the consent authority is satisfied that the relevant panel has certified in a current site compatibility certificate that, in the relevant panel's opinion—  (a) the site of the proposed development is suitable for more intensive development, and	Noted.
(b) development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding environment having regard to (at least) the criteria specified in clause 25 (5) (b).	The compatibility with Clause 25 is presented in Table 2 below.
(3) Nothing in this clause—  (a) prevents a consent authority from—  (i) granting consent to a development application to which this clause applies to carry out development that is on a smaller (but not larger) scale than the kind of development in respect of which a site compatibility certificate was issued, or  (ii) refusing to grant consent to a development application to which this clause applies by reference to the consent authority's own assessment of the compatibility of the proposed development with the surrounding environment, or  (b) otherwise limits the matters to which a consent authority may or must have regard (or of which a consent authority must be satisfied under another provision of this Policy) in determining a development application to which this clause applies.	Noted.

**Table 3: Consistency with the Requirements of Clause 25**

Clause 25 Requirements	Comments
(1) <i>An application for a site compatibility certificate for the purposes of clause 24 may be lodged with the Department —</i>  (a) by the owner of the land on which the development is proposed to be carried out, or (b) by any other person, with the consent of the owner of that land.	The owner of the land is submitting the SCC.



Clause 25 Requirements	Comments
<p>(2) <i>An application —</i></p> <p>(a) must be —</p> <p>(i) in writing, and</p> <p>(ii) in the form (if any) approved by the Planning Secretary from time to time, and</p> <p>(iii) accompanied by such documents and information as the Planning Secretary may require, and</p>	<p>The application will be lodged on the Planning Portal as required.</p> <p>The application includes this report with relevant specialist reports.</p>
<p>(b) specify, in the manner required by the Planning Secretary, whether any site compatibility certificates have previously been issued in respect of the land (or any part of the land) to which the application relates, and</p>	<p>No other site compatibility certificates have been issued on the land subject to this application.</p>
<p>(c) for land that is next to proximate site land—must be accompanied by a cumulative impact study that has been prepared in accordance with any guidelines issued by the Planning Secretary from time to time</p>	<p>A site compatibility certificate has been issued for a site in Beach Street in 2017. This SCC was for one lot only. As only one lot was issued with an SCC a cumulative impact study is not required. No development has occurred on the site since the SCC was approved. A DA was lodged but withdrawn in 2019.</p>
<p>2A) Land is <b>next to proximate site land</b> for the purposes of this clause if the land (or any part of the land) is located within a one kilometre radius of 2 or more other parcels of land (the <b>proximate site land</b>) in respect of each of which either—</p> <p>(a) there is a current site compatibility certificate, or</p> <p>(b) an application for a site compatibility certificate has been made but not yet determined.</p> <p>(2B) However, any other parcel of land for which development consent for the purposes of seniors housing has been granted is to be disregarded when determining whether land is next to proximate site land even if a site compatibility certificate has been granted in respect of that parcel.</p> <p>(2C) A <b>cumulative impact study</b> for the purposes of this clause is a study that considers whether the impacts associated with the proposed development on the land to which an application relates (when considered together with the impacts of proposed developments on the proximate site land concerned)—</p> <p>(a) take into account the capacity of existing or future services and infrastructure (including water, reticulated sewers and public transport) to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision, and</p> <p>(b) take into account the capacity of existing or future road infrastructure to meet any increase in traffic as a result of proposed development.</p>	<p>A site compatibility certificate has been issued for a site in Beach Street in 2017. This SCC was for one lot only. As only one lot was issued with an SCC a cumulative impact study is not required.</p>



Clause 25 Requirements	Comments
(2D) Without limiting subclause (2), the relevant panel may require an applicant to provide a cumulative impact study even if it has not been provided with the application if the relevant panel considers that it is necessary for it to be provided to determine whether the land concerned is suitable for more intensive development.	
(3) The Planning Secretary must—  (a) forward the application to the relevant panel within 35 days after it is lodged if it is reasonably practicable to do so, and  (b) provide a copy of the application to the General Manager of the council for the area in which the development concerned is proposed to be carried out (the <b>relevant General Manager</b> ) within the period of 7 days after the application is lodged.	The Planning Secretary will forward this application to the Panel and Council as required.
(4) Subject to subclause (5), the relevant panel may determine the application by issuing a certificate or refusing to do so.	The Panel will make its decision after considering the information provided.
(5) The relevant panel must not issue a site compatibility certificate unless the relevant panel —  (a) has taken into account the written comments (if any) concerning the consistency of the proposed development with the criteria referred to in paragraph (b) that are received from the relevant General Manager within 21 days after the application for the certificate was made, and	The Panel will make its decision after considering the information provided by Council.
(b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria—  (i) the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,	<p>This SCC has undertaken a preliminary environmental assessment (refer to Table 3). This lead to the preparation of more detailed investigations in relation to bushfire, traffic and biodiversity. The site is adjacent to existing residential land, and the main road linking Bonny Hills with Port Macquarie town centre. The site is within several hundred metres of and existing light industrial zone. The future west Bonny Hills urban release area is adjacent to the site. Some of the broader Lot 4 is identified to be utilised for the future Bonny Hills bypass. It is also identified (7.11 certificate) that the site has been subject to previous logging/forestry operations.</p> <p>Bushfire, biodiversity and traffic matters are also identified in Section 5 below. In sum, relevant APZs can be provided in accordance with the Rural Fire Services (RFS's) Planning for Bushfire Guideline. The traffic impacts have been assessed in accordance with relevant Transport for NSW Guidelines and are not considered significant. Some vegetation will be removed as part of the works. Some 18% of the landowners site is required for the proposed seniors development (plus approximately 4 hectares for APZ management). Approximately 79% will not be developed as part of the seniors proposal. Should a development application be pursued a BDAR would be required under the Biodiversity Conservation Act.</p>



Clause 25 Requirements	Comments
(ii) the impact that the proposed development is likely to have on the uses that, in the opinion of the relevant panel, are likely to be the future uses of that land,	The subject site is currently zoned rural under the Port Macquarie Hastings LEP. The site has previously been subject to logging/forestry and other agricultural pursuits (grazing). The site is not identified as significant agricultural land. To the west is State Reserve, the north west an existing rural residential development which allows seniors housing as permitted with consent under the LEP. To the east is Ocean Drive (a main thoroughfare to Port Macquarie) and existing and residential zoned land, meaning the subject site adjoins land primarily zoned for urban purposes. To the north is partly zoned industrial and to the immediate north has been identified as a future industrial investigation area (although it is noted that the Catholic Diocese has recently purchased the land).
(iii) the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,	<p>There are existing services in the vicinity of the site. The proposed seniors housing is located on the corner of Ocean Drive and Bonny View Drive. There are existing essential services available (telecommunications, water, sewer and electricity). There is an existing sewage treatment plant approximately 1.2km to the east. Ocean Drive contains numerous bus stops. There are bus stops linking the site to Port Macquarie and the rest of Bonny Hills (to the south) which is less than 100m from the site. The development will provide a community bus (refer to Section 3.2).</p> <p>The proposed seniors housing will be required to pay development contributions if approved in the future.</p>
(iv) in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,	The subject site is not zoned open space or special uses.
(v) without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,	The seniors living development proposes independent living units of one storey in height with a mixture of two and three bedroom units. The development proposes a number of community facilities (e.g. community centre, bowling green, pool, gym) and large areas of open space and pathways. The development has been designed to complement the existing low density residential development in the area. Council's land use strategy proposes continuing a predominantly low density residential environment in the vicinity.
(vi) if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the <i>Native Vegetation Act 2003</i> —the impact that the proposed development is likely to have on the conservation and management of native vegetation,	Some vegetation would be removed as part of the works. As part of a future DA a Biodiversity Report will be prepared and any offsetting will be in accordance with the Biodiversity Conservation Act. It is noted throughout this report that approximately 21% of the proponents land will be utilised for the seniors living, the rest will not be developed.
(vii) the impacts identified in any cumulative impact study provided in connection with the application for the certificate, and	No cumulative impact study is required.
(c) in relation to an application that applies to land in respect of which a site compatibility certificate has previously been issued (the <b>previously certified land</b> ) and other land (the <b>additional land</b> )—is of the opinion that—	No site compatibility certificate has previously been issued for the land.





Clause 25 Requirements	Comments
<p>(i) the additional land (independently of the previously certified land) adjoins land zoned primarily for urban purposes or subclause (5A) applies, and</p> <p>(ii) if a site compatibility certificate was issued in respect of the previously certified land on the basis that the land adjoined land zoned primarily for urban purposes—the previously certified land continues to adjoin land zoned primarily for urban purposes.</p>	
<p>(5A) This subclause applies for the purposes of subclause (5) (c) if—</p> <p>(a) the proposed development on the additional land does not include any new or additional structures for use as accommodation, and</p> <p>(b) where the previous site compatibility certificate specified a maximum number of dwellings for the previously certified land—the total number of dwellings on the additional land and previously certified land combined will not exceed that maximum number.</p>	No site compatibility certificate has previously been issued for the land.
<p>(6) Without limiting subclause (4) (a), the relevant panel may refuse to issue a certificate if the relevant panel considers that the development is likely to have an adverse effect on the environment.</p>	The Panel will make its decision after considering the information provided.
<p>(7) A certificate may certify that the development to which it relates is compatible with the surrounding land uses only if it satisfies certain requirements specified in the certificate.</p>	Noted.
<p>(8) (Repealed)</p>	Repealed.
<p>(9) A certificate remains current for a period of 24 months after the date on which it is issued by the relevant panel.</p>	Noted.
<p>(10) To avoid doubt, a site compatibility certificate—</p> <p>(a) cannot be varied during its currency to cover additional land, and</p> <p>(b) does not affect the zoning of the land to which it relates under another environmental planning instrument.</p>	Noted.



**Table 4: Consistency with the Requirements of Clause 26**

Clause 26 Requirements	Comments
<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to—</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner.</p>	<p>The proposed seniors living development will include a community bus. The bus will operate at regular services and as required (refer to Section 3.2).</p> <p>Shops and banking services are available within approximately 2km of the site at both Bonny Hills and Lake Cathie. There is a small business area approximately 1km to the south of the site. There is also a B4 and B2 business zoning approximately 1km north from the site for a future business area. Port Macquarie is to the north which provides higher order services (e.g. base hospital).</p> <p>The proposed development will have a community centre which include rooms for professional services. The proposed development will also include some recreational facilities (e.g. pool, gym, tennis court, bowling green). There are existing recreational and open space facilities in Bonny Hills.</p> <p>The proposed community centre will include rooms/office suites that can be utilised for a medical practitioner.</p>
<p>(2) Access complies with this clause if—</p> <p>(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14, although the following gradients along the pathway are also acceptable—</p> <p>(i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</p> <p>(ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</p> <p>(iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time, or</p>	<p>The immediate area is relatively flat with gradients approximately 0.01 (1:100). Grades can meet for access to the nearby bus stop, and grades within the site can be designed for suitable access to the community centre and recreational facilities.</p>
<p>(b) LGAs within Greater Sydney</p>	<p>Does not apply.</p>



Clause 26 Requirements	Comments
<p>(c) in the case of a proposed development on land in a local government area that is not within the Greater Sydney (Greater Capital City Statistical Area)—there is a transport service available to the residents who will occupy the proposed development—</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>(iii) that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive),</p> <p>and the gradient along the pathway from the site to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) complies with subclause (3).</p>	<p>The proposed development will include a community bus that will be available for residents' use. Some services are located approximately 1km to the south while another business centre is located 2km to the south (refer to Figure 3 and Appendix D). A new business centre is proposed approximately 1km to the north. Existing bus services are available to these centres. The proposed development will also run a community bus service at regular intervals to access these areas. Services will be provided on site as previously discussed.</p> <p>In addition, there is a bus stop approximately 100m from the site. Access at reasonable grades can be provided to the bus stop. This provide regular weekday services during school days to Bonny Hills and Lake Cathie. These services can be expanded with the development proposed to the east and north of the site.</p>



#### 4.7.1 Development on Land Adjoining Land Zoned Primarily for Urban Purposes

As this application is for an SCC Clause 24(1)(a)(i) is pertinent to the application. The Clause states that a future development application needs to be on land that adjoins land zoned primarily for urban purposes. A development that is on land that adjoins land zoned primarily for urban purposes also requires consideration under Clause 17 in respect of a development application.

As Figure 6 shows the subject site is opposite R1 (General Residential) zoned land (land to the east). To the north west of the site is large lot residential development which allows seniors housing under the local environmental plan (LEP). To the immediate south east of the subject site is land identified in the Port Macquarie Hastings Urban Growth Management Strategy as a future urban release area. This Strategy also identifies land to the immediate north for a future industrial area, although it is understood this land has recently been purchased by the Catholic Diocese which is likely to result in an urban use for the site. It is considered that the proposal is a development on land adjoining land zoned primarily for urban purposes (refer also to Table ).

**Table 5: Consistency with the Requirements of Clause 17**

Clause 17 Requirements	Comments
(1) Subject to subclause (2), a consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following—  (a) a hostel, (b) a residential care facility, (c) serviced self-care housing.	The proposal is for serviced self care housing as discussed in Section 4.7 above.
(2) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purposes of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that the housing will be provided— (a) for people with a disability, or (b) in combination with a residential care facility, or (c) as a retirement village (within the meaning of the <i>Retirement Villages Act 1999</i> ).	The proposal is for a retirement village as defined under the Retirement Villages Act. This would be a condition of the future DA. The proponent already manages developments under the Retirement Villages Act such as Blueheath at the Bower ( <a href="http://www.blueheath.com.au">www.blueheath.com.au</a> ). This would be a similar development, where the Retirement Villages Act would apply.

#### 4.7.2 Housing SEPP 2021

This new SEPP was enacted after the lodgement of this application in November 2021. It is understood, however, that transitional arrangements will allow SCCs lodged prior to the introduction of the new Housing SEPP to remain in place.

### 4.8 PORT MACQUARIE HASTINGS LOCAL ENVIRONMENTAL PLAN (LEP)

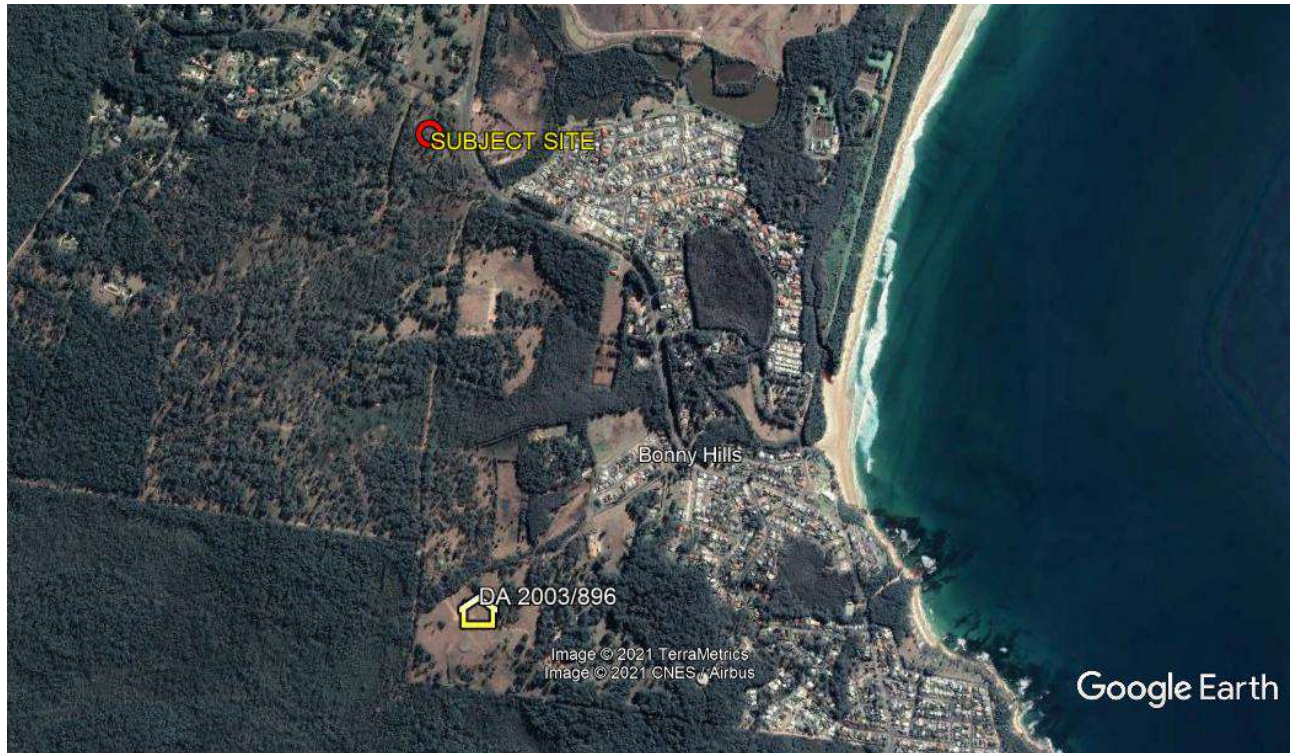
It is noted that there is an R5 Large Lot Residential zone to the immediate north west of the subject site. Under the Port Macquarie Hastings LEP seniors housing is permissible with consent in this zone. The subject site is zoned RU1 Primary Production under the Port Macquarie Hastings Local Environmental Plan (LEP) 2011. Seniors Housing is not permissible with consent in the current zone and as such a Site Compatibility Certificate under Clause of the Seniors Housing SEPP is required.

#### 4.8.1 Previous Development Applications of Relevance

It is noted that a previous DA for seniors housing was approved just to the south of the subject site. Figure 8 shows the location of DA 2003/896 which was approved in 2006 by Council. The DA was also physically commenced but has never progressed to completion. The approvals for the development applied to Lots 105 & 106 DP 754444 and Lot 101 DP857791, McGilvray Road and Ngamba Place. The development proposed 102 independent living units, associated service facilities and infrastructure.



**Figure 8: Location of Approved DA 2003/896**





## 5 ENVIRONMENTAL CONSIDERATIONS

### 5.1 ENVIRONMENTAL OVERVIEW

A preliminary review of relevant environmental issues was undertaken to ascertain whether further investigations would be required for the purposes of this SCC, noting that, if approved, a development application (DA) will follow. The results of the preliminary investigations is presented in Table 6.

**Table 6: Preliminary Environmental Considerations**

Environmental Matter	Source(s) Reviewed	Comments
Bushfire	RFS Bushfire Prone Land maps	The site is identified as being with a bushfire prone area. A bushfire assessment has been prepared (Appendix A). The bushfire assessment identified that the proposed seniors housing can meet the RFS's <i>Planning for Bushfire Protection</i> 2019.
Biodiversity	NSW Bionet Atlas EPBC Protected Matters Search Tool Native Vegetation Regulatory Map Biodiversity Values Map	<ul style="list-style-type: none"><li>The subject site is not mapped on the Native Vegetation Regulatory Map. The area to the south identified as Coastal Wetland is mapped but not the area subject to this SCC.</li><li>The subject site is not mapped on the Biodiversity Values Map. An area approximately 500m to the south which is also mapped as coastal wetland is identified.</li><li>There are threatened species (including Commonwealth species) identified on the NSW Bionet Atlas as being within one kilometre of the subject site (refer to Section 5.3 below).</li></ul>
Koala Habitat	LEP Koala Habitat Map	The subject site is not mapped on Council's LEP Koala Habitat Map.
Contaminated Land	Contaminated Land Management Act records Protection of the Environment Operations Act records	As search of relevant EPA records identified no contaminated land issues on the subject site.
Flooding	Council LEP Maps	The subject site is not identified in Council's Flood Planning Map.
Heritage	Council LEP NSW Heritage Database Australian Heritage Database	No heritage items on the site, or in the vicinity of the site.
Groundwater	Australian Groundwater Explorer Water NSW Bore Data	There were six bores identified within 1km of the subject site. The nearest being approx. 250m to the west of the site. Five had data. The water levels were 7, 14, 15, 22 and 25m below the surface. Construction works are unlikely to intercept groundwater.
Wetlands	Coastal Management SEPP	The area subject to this application does not have any identified coastal wetlands or littoral rainforest. There is a coastal wetland approximately 500m to the south.
Aboriginal Heritage	Aboriginal Heritage Information Management System	No records on the subject site. The nearest record is approximately 1km to the east.
Agriculture	Mid North Coast Farmland Mapping Project	The subject site is identified as 'other rural land'. Regionally significant farmland is further to the west of the site around Kew and Kendall.





## 5.2 BUSHFIRE

A search of bushfire prone land maps prepared by the NSW Rural Fire Service (RFS) identified that the site is in a bushfire prone area. The proposal has been assessed against the PBP 2019 performance criteria for a proposed Seniors Living development of land located on Part Lot 4 DP 844371 and Part Lot 1 DP 1018270 (refer to Appendix A). The bushfire report identifies that the proposal can comply with the specific objectives for Special Fire Purpose Protection developments with the following requirements (assuming reticulated water supply):

- Asset Protection Zones should be provided surrounding the site to the following widths; North 36 metres, East 40 metres, South 79 metres, and West 67 metres. These can be provided within the subject site.
- All proposed and future construction on the site should meet the minimum standard of AS3959 – 2018 Chapters 3 and 5 (BAL 12.5).
- An emergency management and evacuation plan should be prepared and available prior to occupation of the site. The Plan should be consistent with the guidelines provided by the NSW RFS's *A Guide to developing a Bush fire Emergency Management and Evacuation Plan* and the Australian Standard, AS3745:2010 Planning for emergencies in facilities.

## 5.3 BIODIVERSITY

The subject site has had a number of ecological assessments over the last few years. In 2016 Naturecall (now Biodiversity Australia) prepared an ecological constraints analysis for Lot 4 DP 844371 and Lot 1 DP 1018270. Biodiversity Australia subsequently prepared another constraints assessment in November 2020. Biodiversity Australia identified in the area proposed for seniors housing the dominant plant community as Swamp Mahogany Swamp Forest on Coastal Lowlands (PCT 1230) while there was also a smaller amount of Blackbutt-Pink Bloodwood Shrubby Open Forest (PCT 686) and Paperbark Swamp Forest of the Coastal Lowlands (PCT 1064). The Biodiversity Australia report also identified some hollow bearing trees on Lot 4 DP 844371 and Lot 1 DP 1018270. The majority of hollows identified by Biodiversity Australia are outside of the proposed seniors housing development area on Lot 4 and Lot 1. See also Figures 9 and 10.

As part of preparing this SCC, an ecologist from Kleinfelder visited the subject site in July 2021 to confirm the assessment from the Biodiversity Australia report of 2020.

Kleinfelder's field ecologist confirmed the predominant vegetation on site was Swamp Mahogany Swamp Forest on Coastal Lowlands (PCT 1230) as presented in Figure 9. Kleinfelder's ecologist identified a small amount of Blackbutt dominated vegetation, similar to the Biodiversity Australia report. Kleinfelder's ecologist also noted the presence of hollow bearing trees on the site (Figure 10), although noted from the site visit more were located in the area not part of this seniors housing proposal.

There was some difference of opinion between the Biodiversity Australia report and Kleinfelder's ecologist on the small amount of Paperbark Swamp Forest of the Coastal Lowlands (PCT 1064) with Kleinfelder suggesting the community was consistent with PCT 1230. This would be addressed as part of further detailed survey work for a development application.

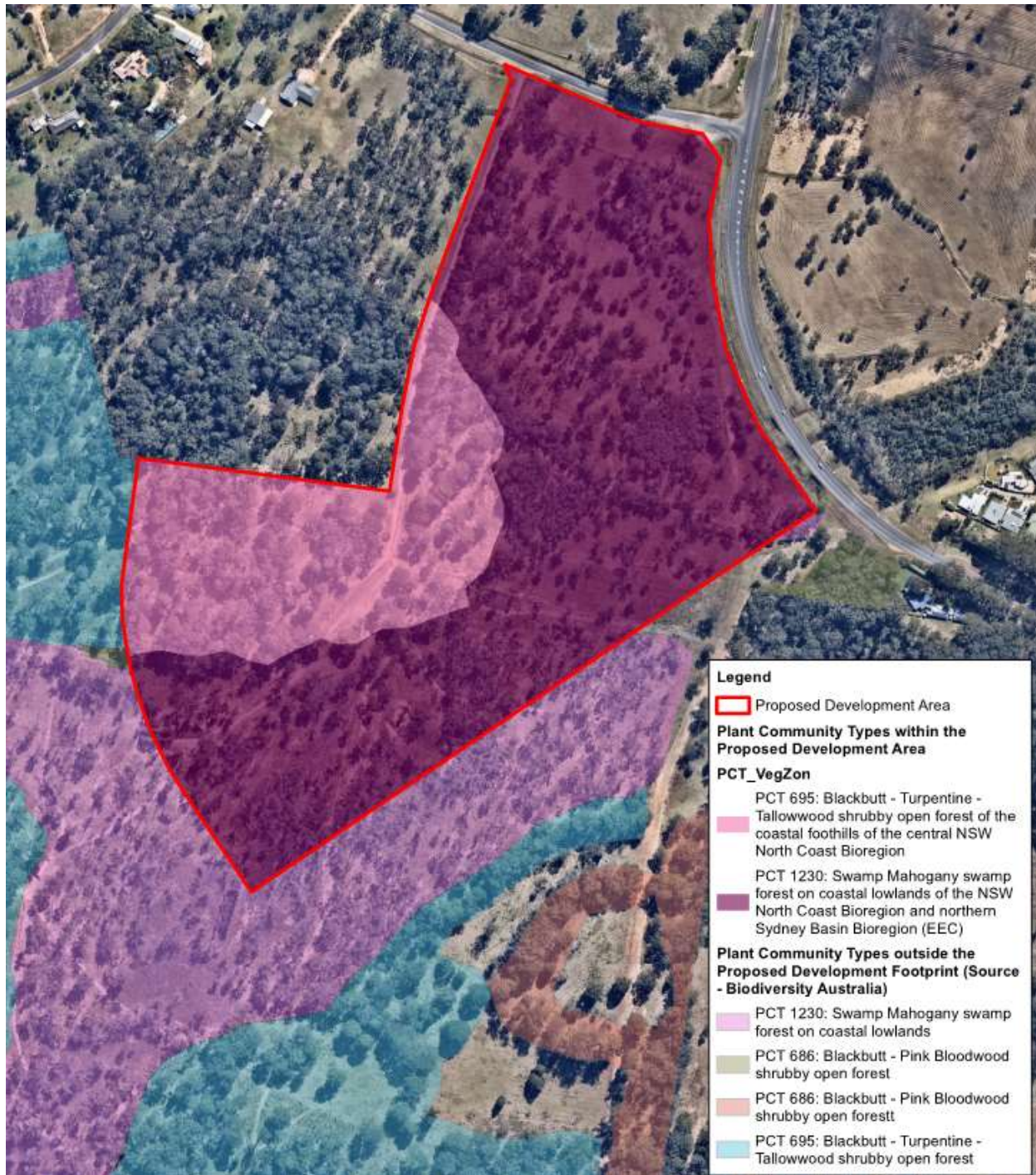
Nonetheless, the predominant vegetation is identified as Swamp Mahogany Swamp Forest on Coastal Lowlands (PCT 1230).

Both vegetation communities were considered to be a moderate condition based on the occurrence of an intact, albeit reduced, native canopy, mixed native and exotic grassy groundcover, and a predominantly absent midstorey/shrub layer, as the result of regular grazing.

PCT 1230 is representative of Swamp Sclerophyll Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions EEC, albeit a low-moderate condition form of the EEC. This community exists across low lying areas throughout the subject site and the broader site owned by the proponent.

The site selected for the seniors housing development selection within the north-eastern portion of Lot 4/Lot 1 also avoids impacts to mapped Coastal Wetlands located within the south eastern portion of the site.

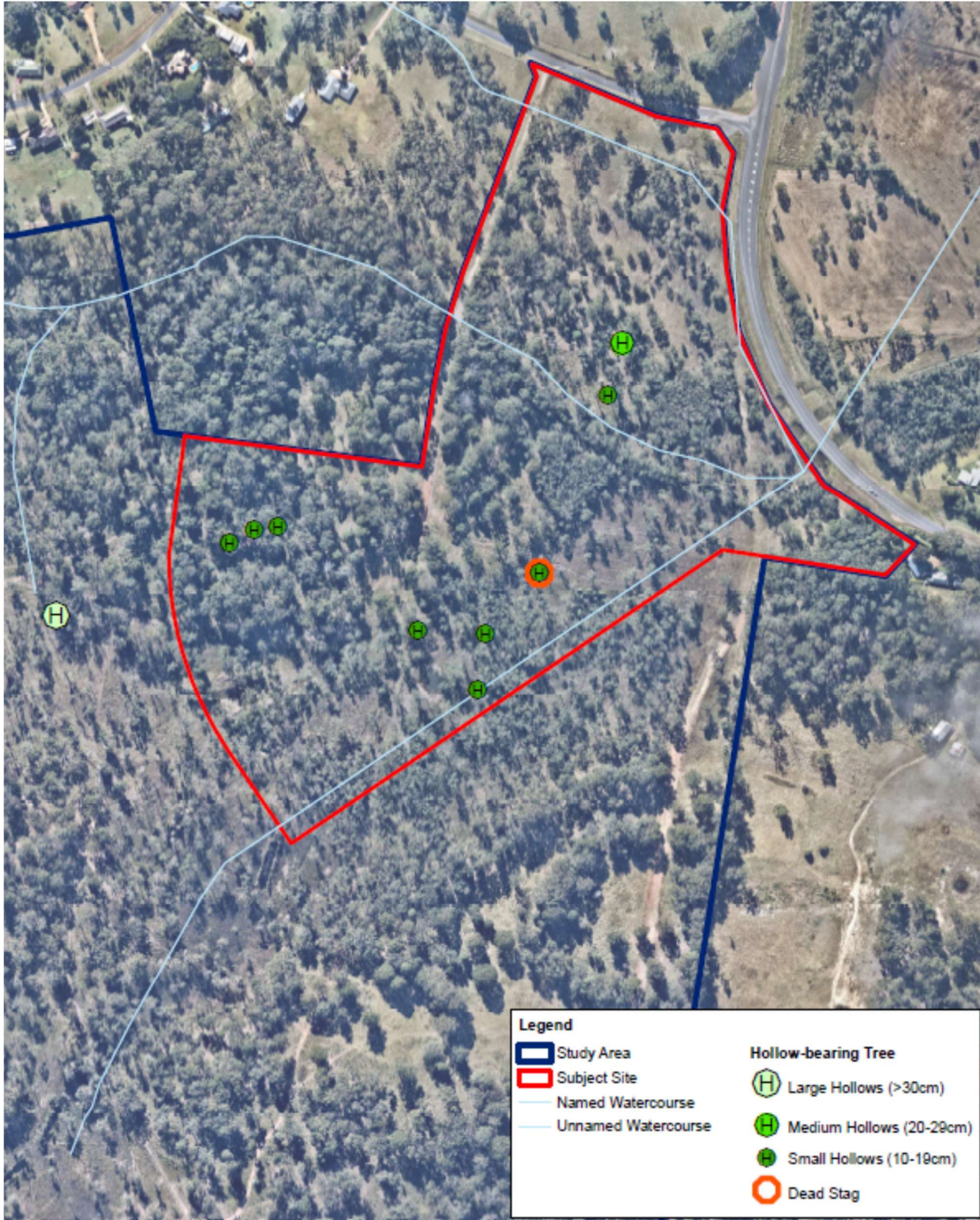
**Figure 9: Plant Community Type (PCT) Mapping**  
(source: Kleinfelder 2021, Biodiversity Australia 2020)







**Figure 10: Mapped Hollow Bearing Trees**  
(source: Kleinfelder 2021)





### 5.3.1 Threatened Species

The Biodiversity Australia report of 2020 did not identify any specific threatened species on the site, however, provided some biodiversity credit calculations based on species that were identified in the wider area of Bonny Hills. A Kleinfelder ecologist also did not identify any threatened flora or fauna on a recent site visit. It was concluded that the subject site is unlikely to constitute suitable habitat for any threatened plant species predicted or recorded within the locality.

In regard to fauna, the subject site is characterised by open forest to scattered trees and mixed native/exotic grassland, with a predominantly managed (grazed) groundcover and significantly reduced midstorey and shrub layer. As such, the vegetation within the subject site is likely to constitute only marginal habitat for highly mobile threatened birds (e.g. Swift Parrot) and mammals (e.g. Grey Headed Flying Fox) species, along with locally occurring threatened arboreal mammals.

No signs of koala occupation were recorded during a site assessment though it is noted that there are a number of koala records within the immediate surrounds of the subject site. Similarly, Biodiversity Australia did not identify any evidence of koalas on site during their assessment. Nonetheless, further assessment will be required during the preparation of a Biodiversity Development Assessment Report (BDAR) as part of a development application (DA).

Low lying areas are subject to periodic waterlogging and flooding, as such these areas may represent suitable habitat for threatened frog species including the Wallum Froglet, previously recorded within the area. Further targeted surveys are recommended to ascertain the presence of the species and the extent of suitable habitat within the subject site as part of a BDAR.

### 5.3.2 Summary

Recent studies prepared for the site have identified that the dominant vegetation on the subject site is Swamp Mahogany Swamp Forest on Coastal Lowlands (PCT 1230). Some vegetation will require removal as part of the proposed development. Although it is noted that 21% of the land owned by the proponent is impacted by this proposal with a larger area (93 hectares) not proposed to be developed. Threatened fauna species have been identified previously in the area although none have been identified on the subject site as part of the recent fieldwork. It is not considered there are any threatened flora on the site. In moving forward the development application will likely require the preparation of a BDAR to accompany the DA. At this time more detailed assessment (including EPBC Act assessment) will be undertaken and any impacts will require offsetting in accordance with the Biodiversity Conservation Act.

## 5.4 TRAFFIC

StreetWise Road Safety and Traffic Services were engaged to prepare a Traffic Impact Assessment (TIA) for the proposed seniors living development (Appendix B). For the purposes of the TIA a more conservative 250 unit development was considered in the assessment. StreetWise consulted council records which indicate the following:

- An Annual Average Daily Traffic (AADT) count of 8500 on Ocean Drive in 2019 (daily total of both directions)
- An AADT of 520 on Bonny View Drive in 2016.

Applying an annual growth factor of 2% p.a. to the council volumes the adjusted (current) peak hour volumes and turn movements at the intersection indicate the following:

- Peak volumes on Ocean Drive, just north of intersection is 969 (9690 AADT)
- Heavy vehicle movements were low (max 4%), with local buses making up the majority
- Total hourly trips on Bonny View Drive are relatively low (max of 62 in both directions – AM peak). The majority of these movements are the result of school students being picked up or dropped off (i.e. many of the vehicles undertook a U-turn near the intersection).





The TfNSW (previously RMS) *Guide to Traffic Generating Developments*, does not include a traffic generation rate for seniors living developments. Instead, TfNSW recommends assessing a similar type of development within the same area, and utilising a similar traffic generation rate. StreetWise have previously undertaken a 12-hour assessment of the Ocean Club Resort, an Over 50's residential development. The Ocean Club Resort was selected as a comparative development as this development is located at Lake Cathie - approximately 2kms from the subject site. It was found that the Ocean Club Resort currently has 155 residents occupied generating a peak hour traffic generation rate of 3.6 trips per unit / lot per day with calculated weekday average peak hour vehicle trips of 0.37 per lot or 58 vehicles/hour. Interestingly the peak period is between 12:15pm to 1:15pm. A rate of 4 trips per day per unit has been adopted for this assessment.

At full development (noting the proposal will be constructed in Stages) using the assumed traffic generation rate of an average 4 vehicle trips per unit per day, and 0.4 trips per peak hour identifies:

- Total trips per day (250 units) estimated to be 1000
- Total trips per local peak hour (7:45am & 3:30pm) estimated to be 100 trips.

The TIA has assumed:

- Future peak hour movements will generally be split 70:30 – i.e., 70% out and 30% in during the morning peak, and the reverse situation in the evening.
- Vehicle trips of future residents have been assumed to be 60% to the north and 40% to the south.

Austrroads guidelines indicate that a 2-way, high standard road (such as Ocean Drive) can safely and efficiently cater for up to 1700 vehicles per hour per lane, or a total of 3200 vehicles per hour (vph) in both directions. Austrroads 'Guide to Traffic Management – Part 3: Traffic Studies & Analysis', includes a chart showing the lane capacities of major roads, based on volumes, speeds and Level of Service (LoS). An LoS of "C" is considered acceptable ("A" being the best LoS and "F" being the worst). Both Ocean Drive (LoS of 'B') and Bonny View Drive (LoS of 'A') are both operating well below current capacity, and have adequate capacity to cater for future traffic growth, including the additional vehicle movements generated by the proposed development.

An assessment of the intersection of Ocean Drive and Bonny View Drive was undertaken utilising estimated 2031 traffic volumes using a 2% annual growth factor, but not including traffic generated by the proposed development in Bonny View Drive. This assessment identified all turn movements from Ocean Drive will require a separate turn lane, and likely require lengthening of the existing right turn lane in Ocean Drive. Estimated 2031 traffic volumes including the traffic generated by the proposed development indicated all turn movements from Ocean Drive will require a separate turn lane, and likely require lengthening of the existing right turn lane in Ocean Drive (similar to any upgrades required by 10-year traffic growth without the proposed development).

The proposed development will generate approximately 1000 trips per day, or around 100 trips during morning and afternoon peak times when fully completed and occupied. These volumes are relatively low, and when distributed into 'in & out' movements, as well as 'north & south', will not have any significant impact on the local road network. It is therefore considered that there is currently adequate capacity within Ocean Drive to cater for 10 years growth, and the additional trips to be generated by the development, without any significant loss of safety or efficiency.

The existing channelised layout at the intersection of Ocean Drive and Bonny View Drive has been shown to be suitable for the future (2031) traffic volumes, including the additional trips to be generated by the development. It should be noted that the peak traffic generation of the proposed seniors living development is generally outside the current peak periods of the local road network.

The applicant is proposing to construct an intersection and access off the southern side of Bonny View Drive, approximately 220m west of the existing intersection with Ocean Drive. The existing sight distance in either direction is satisfactory to provide safe access to and from the proposed development, with minimal impacts on through traffic on Bonny View Drive

Based on existing knowledge:



- Concept plans for the future of the Ocean Drive Corridor indicate that one lane in either direction will be maintained between Houston Mitchell Drive and the Bonny Hills township. However, it is proposed to widen the existing roadway to provide a centre median island and formal road shoulders
- It is expected that any future DA approval for the proposed development will include conditions to upgrade Bonny View Drive across the frontage of the development. It should be noted that the existing roadway includes informal widening to allow school buses to turn around near the intersection with Ocean Drive. Any upgrade of Bonny View Drive should also include a formal pedestrian connection between the development and the existing bus stop in Ocean Drive
- The current layout of Ocean Drive & Bonny View Drive is channelised intersection, with a sheltered right turn into the side road, and widening of Ocean Drive to assist vehicles turning left in & out. An assessment of the right turn lane should be undertaken to ensure the existing length is suitable to cater for:
  - the existing right turn volumes
  - the future right turn volumes (i.e. existing + 10 yrs annual growth)
  - future turn volumes (i.e. existing + 10 yrs annual growth + development traffic)
- Advice from Port Macquarie Hastings Council indicates that any upgrade of Ocean Drive or the intersection with Bonny View Drive are not included in any current contribution plan.
- Port Macquarie Hastings Council to confirm the future location of any proposed Bonny Hills Bypass, and the subsequent impacts on the roadworks required by the proposed development.

## 5.5 MINERAL RESOURCES

The proposed seniors housing development is on part Lot 4 DP 844371 and part Lot 1 DP 1018270. Lot 4 DP 844371 and Lot 1 DP 1018270 are identified in the Port Macquarie Urban Growth Management Strategy as having an identified mineral resource (serpentine). This mineral resource is identified as being in the southern parts of the lots, outside of the proposed seniors housing development area.

## 5.6 FORESTRY

It is noted that the Section 10.7 Planning Certificate for the site identifies the site as having been logged previously.

## 5.7 INFRASTRUCTURE PROVISION

The subject site is located on the corner of Ocean Drive and Bonny View Drive. The impacts on the local road network from the proposed seniors housing is addressed in Section 5.4.

The Lake Cathie/Bonny Hills Sewerage Treatment Scheme consists of a wastewater treatment plant (WwTP) which was upgraded in 2011. The augmentation involved converting the process from an intermittent decant extended aeration plant (IDEA) to a continuous activated sludge process. The WwTP is in Magellan Place, Bonny Hills. The plant has a capacity of 12,000 EP - in other words, it has the capacity to treat raw sewage equivalent to that generated by a population of 12,000 people. Population growth forecasting suggests less than 10,000 people in the area at 2036. Notwithstanding, relevant details of any augmentation would be provided with a future development application and any works would be at the proponent's expense.

There is a designated bus stop less than 100m from the subject site (on corner of Ocean Drive and Bonny View Drive) linking the site to Port Macquarie and Bonny Hills/Laurieton. There are nine services during the day, six on Saturdays and five on Sundays (during school periods). The TIA notes that the Bonny View Road bus stops are not used for all services, however, as they are existing stops, additional services can be easily provided.

It is understood water, electrical and telecommunication services are available in the area, although some minor augmentation may be required to service the proposed development.





## 6 DESIGN

Part 3 Division 2 of the Seniors Living SEPP outlines a number of design matters that Council need to consider during the assessment of a future development application. Although this report is only for a SC these matters have been considered in Table 7 below.

**Table 7: Seniors Living Design Considerations**

Design Consideration	Comments
<p><b>33. Neighbourhood amenity and streetscape</b> The proposed development should—</p> <p>(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and</p> <p>(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by—</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site's land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>	<p>The subject site is located in a predominantly low density residential setting. The development proposes to continue that trend by providing single storey dwellings. The site is not heritage listed. Relevant open space can be provided around drainage corridors and the larger open space areas can also be landscaped. This is in addition to landscaping on individual lots within the development. The asset protection zone requirements can allow some planting to maintain the low density residential amenity of the area. Future dwelling designs can be constructed with materials and palettes to maintain the current amenity of the area.</p>
<p><b>34 Visual and acoustic privacy</b> The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by—</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>The detailed design will be incorporated into a future DA. The site allows the orientation and design of the dwellings to include visual and acoustic privacy. There are neighbours to the north west and the future Wets Bonny Hills to the south east. In these areas asset protection zones (APZs) are required and relevant planning can be undertaken during the DA process to provide some landscaping in these areas to minimise visual impacts on the neighbours.</p>



Design Consideration	Comments
<b>35 Solar access and design for climate</b> The proposed development should—  (a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and  (b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	<p>The subject site provides opportunities for solar access. The site will allow the orientation of buildings to provide sufficient solar access. Solar access to dwellings will be improved through the construction of single storey dwellings only. The future DA will provide detailed internal designs to ensure solar access and internal light is sufficient. Landscaping will be provided for the development which will be detailed in a future DA. Sufficient open space areas have been identified in the development (refer to Figure 6).</p>
<b>36 Stormwater</b> The proposed development should—  (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and  (b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	<p>On site detention will be provided as part of the future DA. An indicative stormwater detention area is provided in the concept plan. The final size and location will be modelled during the DA process. Consideration will need to be afforded to the culverts under Ocean Drive to the east of the subject site. Water quality modelling will also be undertaken as part of the DA process.</p>
<b>37 Crime prevention</b> The proposed development should provide personal property security for residents and visitors and encourage crime prevention by—  (a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and  (b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and  (c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	<p>The proposed development will provide single storey residential development. Dwellings will face roads and provide passive surveillance to roads. No shared dwellings/living units will be provided. The development when fully occupied will be managed by an entity providing an onsite manager. The single dwellings on site can be designed to allow surveillance for residents of their sites so they can see who is approaching the dwelling. Visitors will access and egress the site from the main entrance on Bonny View Drive.</p>
<b>38 Accessibility</b> The proposed development should—  (a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and  (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	<p>The subject site includes footpaths and landscape areas which will be separate to the roads in the development. It is proposed to link the site to nearby bus stops as well (refer to TIA). The site is relatively flat and will provide easy accessibility for seniors residents. Appropriate parking areas (including for caravans) will also be provided.</p>
<b>39 Waste management</b> The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	<p>The concept plan includes areas set aside for waste facilities (refer to Figure 6). This will be detailed further in the DA. It is likely a private waste contractor will be engaged for the development when occupied.</p>



## 7 SUMMARY

This SCC application has been prepared for a proposed self care seniors housing development on land at part Lot 4 DP 844371 and part Lot 1 DP 1018270, Bonny View Drive and Ocean Drive, Bonny Hills. This SCC is submitted to the Department of Planning, Industry and Environment (DPIE) under the provisions of Clause 24 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors Housing SEPP).

This report prepared for the SCC application describes the site, its environs as well as the proposed development having regard to the criteria identified in the Seniors Housing SEPP, as well as the design criteria identified in the SEPP.



# APPENDIX A      BUSHFIRE REPORT



# APPENDIX B      TRAFFIC REPORT

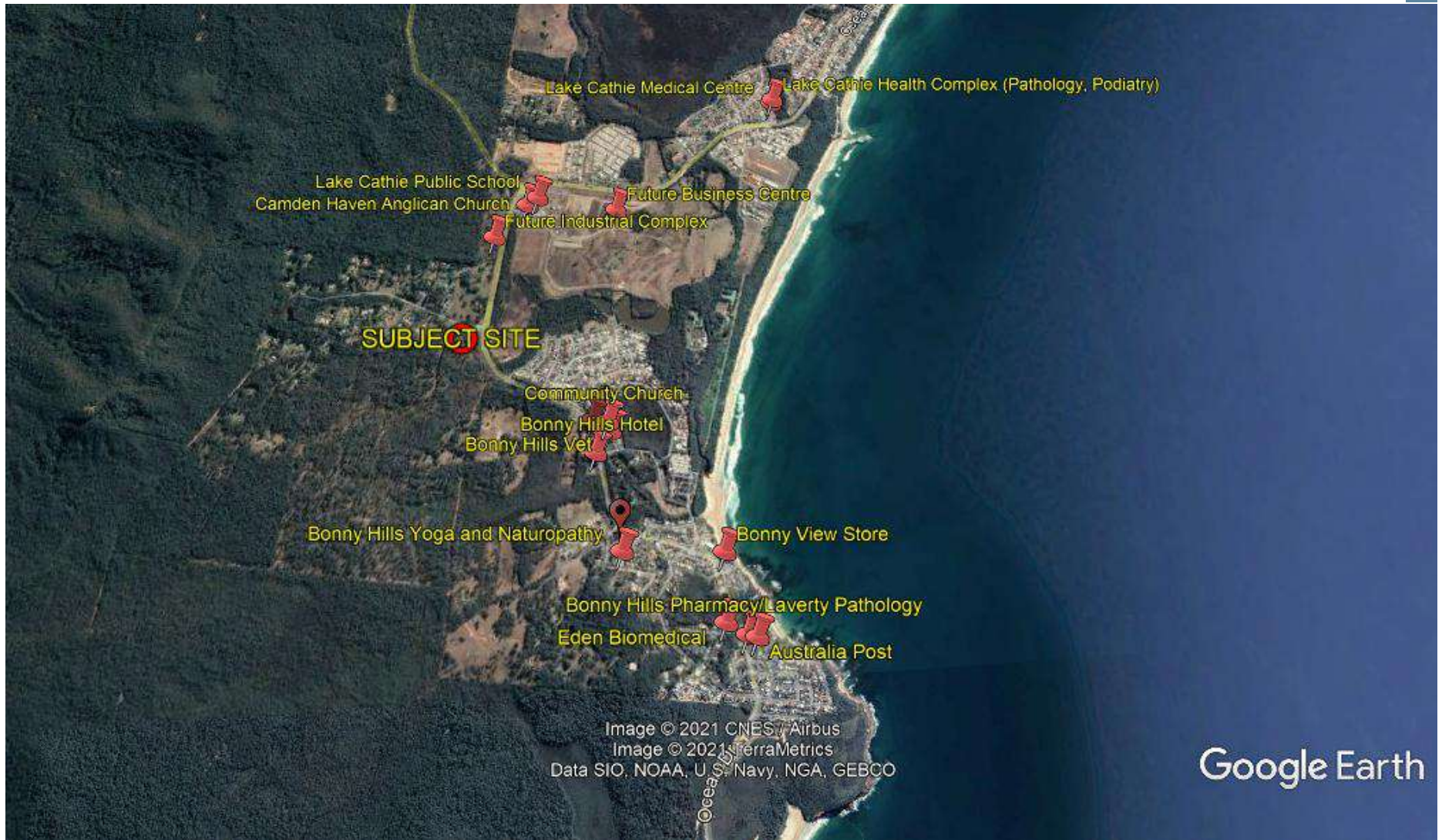


## APPENDIX C      PRELIMINARY FLORA AND FAUNA





## APPENDIX D LOCATION OF NEARBY SERVICES





## APPENDIX E LETTER FROM SERVICE PROVIDER

Lvl 1, Suite 4  
17 Short Street  
Port Macquarie NSW  
Phone: 02 6590 1060  
mailmnc@justbettercare.com  
www.justbettercare.com  
ABN: 52 625 966 476

14 February 2022

Mr. Jeffrey Bretag  
Planning Director  
McCloy Group  
Po Box 2214  
Dangar NSW 2309

Via Email: jeffrey.bretag@mccloygroup.com.au

Dear Mr. Bretag,

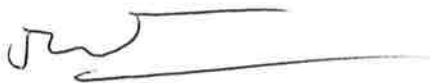
Re: Home Care Support Services to Homeowners

This letter confirms that Just Better Care Mid North Coast is a registered home care provider and can provide home support services, consisting of:

- domestic and personal care
- nursing
- home delivered meals, and
- allied health

to homeowners residing within the McCloy Group's seniors living proposal on the corner of Ocean Drive and Bonny View Drive, Bonny Hills, NSW, 2445.

Yours sincerely,



Julie Dunn  
Operations Manager  
Just Better Care Mid North Coast



# APPENDIX F      COMMITMENT LETTER

Our Ref: BH-01/0000/2021

1 March 2022

Ms. Gina Davies  
Senior Planner, Northern Region  
Department of Planning and Environment  
[gina.davis@planning.nsw.gov.au](mailto:gina.davis@planning.nsw.gov.au)

Online submission via [pp.planningportal.nsw.gov.au](http://pp.planningportal.nsw.gov.au)

Dear Ms. Davies

**Re: Seniors Housing on Cnr of Bonny View Drive and Ocean View Drive, Bonny Hills**

I write to provide commitment that 'Just Better Care Mid North Coast' (or other suitable provided) will be providing the services required under the 'serviced self-care housing' definition of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Please contact me on 0428 067 328 or via email at [jeffrey.bretag@mccloygroup.com.au](mailto:jeffrey.bretag@mccloygroup.com.au) should you have any questions regarding this matter.

Yours sincerely,

A handwritten signature in black ink that reads 'Jeffrey Bretag'.

JEFFREY BRETAG  
Planning Director





# APPENDIX G    BUILDING PLANS