

**From:** Matthew Borsato <Matthew.Borsato@portstephens.nsw.gov.au>  
**Sent:** Friday, 18 May 2018 4:34 PM  
**To:** Neil Selmon; James Shelton  
**Subject:** Referral under Clause 25 (5) of SEPP - Housing for Seniors of People with a disability - 71 Gan Gan Road and 100 Old Main Road Anna Bay  
**Attachments:** Anna Bay Strategy 2008.pdf; Drainage Reserve Draft Concept - 12 March 18.pdf

Dear Neil and James

Council's Strategic Planning Team has reviewed the *Site Compatibility Certificate Application Seniors Living Accommodation, 71 Gan Gan Road and 100 Old Main Road, Anna Bay NSW 2316* (KDC, April 2016) (the SCC concept) and offers the following strategic planning comments.

### **Anna Bay Strategy**

The Anna Bay Strategy was adopted by Council in 2008. Its purpose is to guide the management of future population growth and the building of neighbourhoods. It broadly considers and identifies land in and around Anna Bay for potential investigation for urban purposes. It gives broad consideration to the range of summary planning matters, including consistency with local and regional plans, section 117 directions, state environmental planning policies, and available flora and fauna and flooding information. It also included community consultation. The land subsequently identified by the strategy for consideration is shown in the attached GIS extract map *Anna Bay Strategy 2008*. The land identified as suitable for potential investigation is generally limited to that area in proximity to the existing urban footprint and along Gan Gan Road and Old Main Road. Furthermore, it is a planning principle within the strategy to limit urban development up to the local east-west sand ridge located to the north of Old Main Road.

The overall SCC development concept does not demonstrate consistency with the potential urban footprint recommended in the Anna Bay Strategy, with particular reference to land located beyond the frontage with Gan Gan Road.

### **Anna Bay North Planning Proposal (PP\_2012\_001\_00)**

Council previously resolved to formally commence the planning proposal (rezoning) process for the subject land including a number of other surrounding allotments. Conditional Gateway Determination was issued by the NSW Department of Planning and Environment on 28 February 2012 (lapsed on 4 April 2018). Further investigation of two key matters: flooding and updated environmental information is essential to help inform a potential suitable zone footprint. The need for this information resulted in significant delay.

Council and OEH commissioned and funded the Anna Bay and Tilligerry Creek Flood Study (recently completed). It assists by helping to confirm issues from a flooding and drainage perspective (only). Council staff undertook a review based on the recently available information to assist potential rezoning investigations. The result is the attached preliminary *Drainage Reserve Draft Concept*. This is a preliminary concept only and is to assist discussion, for a potential revised new planning proposal. It identifies land that may potentially be suitable from a flooding and drainage perspective (only) subject to further consideration and detailed assessment.

Subject to resourcing and determination of priorities, Council is providing assistance to the relevant landowners in furthering a planning proposal to facilitate development in Anna Bay

Further information on this planning proposal is available from the Department's planning proposal tracking website.

### **General Comments**

- The SCC concept does not demonstrate consistency with SEPP 44 (Port Stephens Comprehensive Koala Plan of Management). Council is aware of Koala records and activity in the Anna Bay area.
- The Preliminary Ecological Investigation (Anderson Environment and Planning, 1 March 2018) indicates that the environmental values of the site may be significant, and the SCC concept, as submitted, may have significant impacts. Further investigation could take place to confirm environmental values, concept impacts, and policy and legislative requirements for potential development.
- The SCC concept does not demonstrate consistency with - or demonstrate how inconsistency is justified – against relevant section 117 Directions in particular:
  - 2.1 Environment Protection Zones.
  - 2.2 Coastal Protection (the northern part of the site is included within the Coastal Zone under the SEPP (Coastal Management) 2018).
  - 4.1 Acid Sulfate Soils (the lower lying parts of the site are mapped as potentially comprising Class 3 acid sulfate soils).
  - 4.3 Flood Prone Land (the land is flood prone to varying degrees and substantial filling is proposed. Careful consideration of flood policy, management and impacts is required, on the site and within the catchment, including surrounding properties and implications for potential proposals on other land i.e. potential cumulative impacts and implications).
- The Preliminary Ecological Investigation (Anderson Environment and Planning, 1 March 2018) indicates that the environmental values of the site may be significant, and the SCC concept, as submitted, may have significant impacts. Further investigation could take place to confirm environmental values, concept impacts, and policy and legislative requirements for potential development.
- There is limited discussion of the capacity of medical facilities that are available at Anna Bay and on the Tomaree Peninsula.

- There is limited discussion that existing adequate regular public transport options are available to suite senior travel demands (further consultation with service providers may assist).
- It is unclear why Lot A in DP 360150 is included with the SCC concept. No seniors housing or essential infrastructure appears proposed on this allotment (other than a minor detention basin).
- The SCC concept appears to propose access to Nelson Bay Road. Consultation should occur with RMS (even if access is limited to satisfy bushfire planning requirements).
- The SCC concept is across an extensive area and is large-scale for existing and potential future growth (envisioned by the Anna Bay Strategy). This is particularly relevant for the part of the SCC concept on the northern part of the site towards Nelson Bay Road.
- Alternatively, a Seniors Living development towards the frontage with Gan Gan Road may be more suitable and consistent with desired the future location and scale of development envisioned by the Anna Bay Strategy.

## Ongoing Consultation

Prior to any assessment being finalised and the SCC concept determined, staff from Council's Strategic Planning Team are available to discuss the matters raised in these comments, with a view to facilitating a potential development outcome.

If you have any further questions, please contact me.

Regards



**Matthew Borsato**  
Senior Strategic Planner

---

p 02 4988 0282 | w  
[portstephens.nsw.gov.au](http://portstephens.nsw.gov.au)



\*\*\*\*\* Confidentiality and Disclaimer Statement \*\*\*\*\*

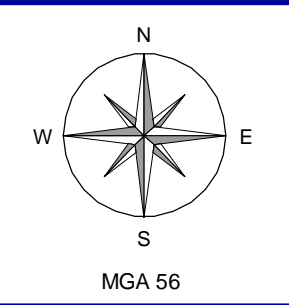
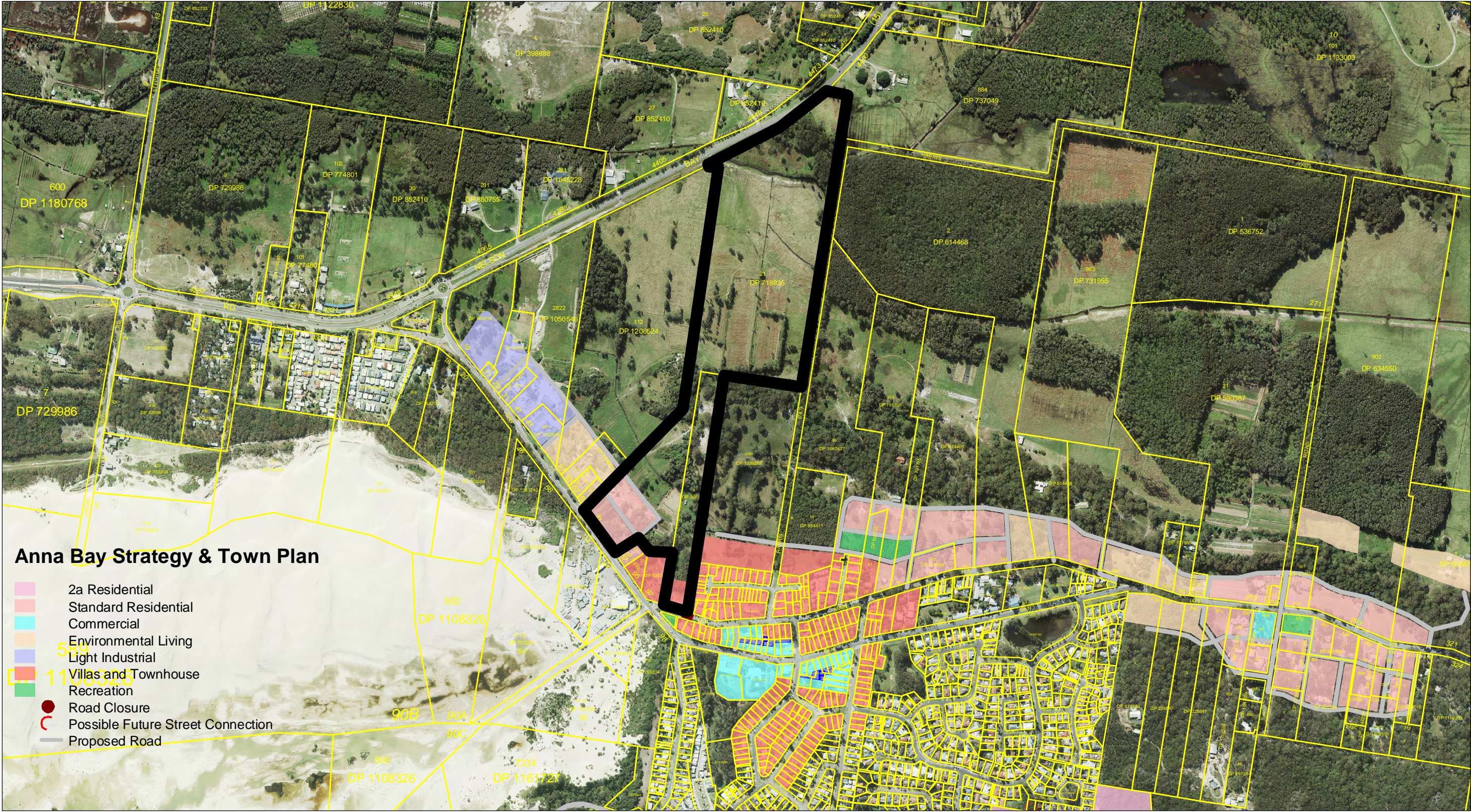
This email and any attachments are intended for the named recipient only and may contain private, confidential or legally privileged information as well as copyright material. Port Stephens Council does not waive any client legal privilege attaching to this email. The information must not be copied, printed, distributed or adapted without Council's consent. If you are not the intended recipient you must not reproduce or distribute any part of this email, disclose its contents to any other party, or take any action in reliance on it. If you have received this email in error, please contact the sender immediately and delete the message from your computer.

This email does not constitute a representation by the Port Stephens Council unless the author is legally entitled to do so. Any email message sent or received by Port Stephens Council may need to be disclosed by the Council under the provisions of the Government Information (Public Access) Act 2009 (NSW). Any email message sent or received by Council may be saved in Council's Electronic Document Management System.

This email and any attachments have been virus scanned however Port Stephens Council does not represent or warrant that this communication is secure and free from computer viruses or other defects and will not affect your computer. No liability is accepted for any loss or damage resulting from a computer virus, or resulting from a delay or defect in transmission of this email or any attached file. This notice should not be amended or deleted.



GIS Plot



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873612 Email: council@portstephens.nsw.gov.au

DISCLAIMER

Port Stephens Council accepts no responsibility for any errors, omissions or inaccuracies whatsoever contained within or arising from this map. Verification of the information shown should be obtained from an appropriately qualified person(s).

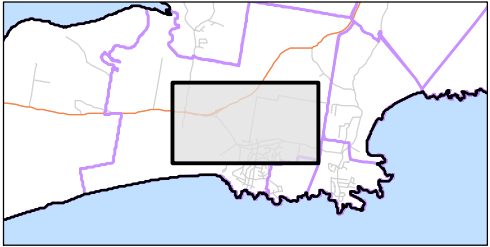
This map is not to be reproduced without prior consent.

© NSW Department of Finance, Services & Innovation 2018  
© Port Stephens Council 2018

SCALE: 1:10000 @ A3

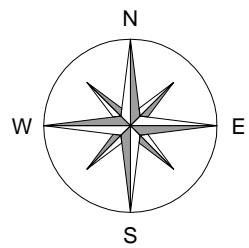
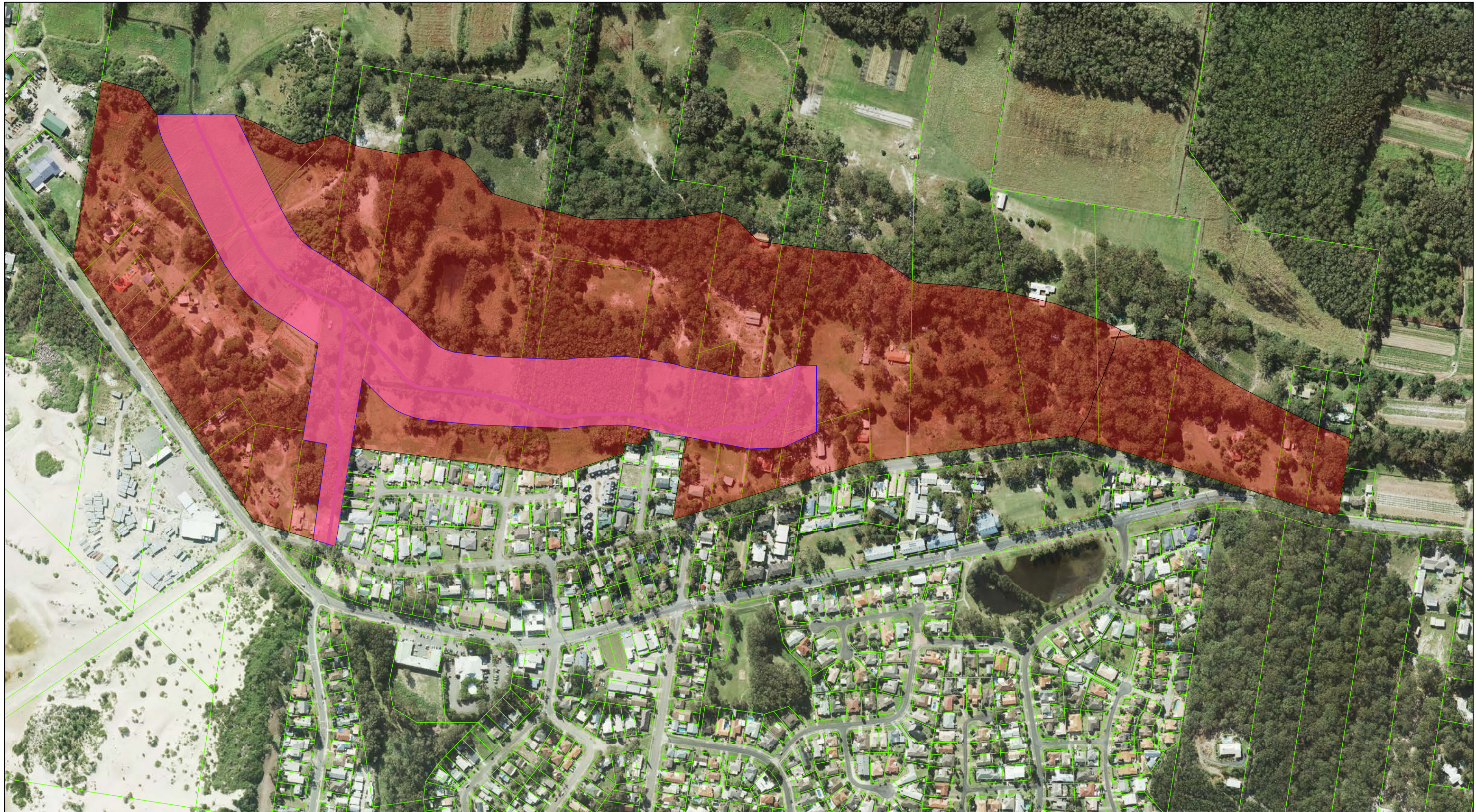
PRINTED ON: 18.05.18

SHEET LOCALITY





# GIS Plot



MGA 56



116 Adelaide Street, Raymond Terrace NSW 2324. Phone: (02) 49800255 Fax: (02) 49873612 Email: [council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)

## DISCLAIMER

Port Stephens Council accepts no responsibility for any errors, omissions or inaccuracies whatsoever contained within or arising from this map. Verification of the information shown should be obtained from an appropriately qualified person(s).

This map is not to be reproduced without prior consent.

© NSW Department of Finance, Services & Innovation 2018  
© Port Stephens Council 2018

SCALE: 1:5000 @ A3

PRINTED ON: 09.03.18

## SHEET LOCALITY

