

TUMBI UMBI RETIREMENT LIVING PROJECT

**RESPONSE TO SUBMISSIONS AND
AMENDMENT REPORT- SSD-63475709**

Mingara Recreation Club, 14 Mingara Drive,
Tumbi Umbi

Prepared for

MINGARA LEISURE GROUP

24 July 2025

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Acknowledgement of Country

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We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years.

We pay our respects to First Nations Elders, past and present.

The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

Title: Sacred River Dreaming
Artist Hayley Pigram
Darug Nation
Sydney, NSW

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1. INTRODUCTION

This Response to Submissions (**RTS**) and Amendment Report relates to the Tumbi Umbi Retirement Living Project (referred to Mingara Recreation Club in the SEARs) at 14 Mingara Drive (**the site**). On behalf of The Trustee for Pariter Mingara Unit Trust (**the Applicant**), this RTS and Amendment Report has been prepared to address the matters raised by public agencies, local Council, the community and other relevant stakeholders throughout the public exhibition period.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning, Housing and Infrastructure (**DPHI**) in November 2024 (SSD-63475709). The SSDA was placed on public exhibition for 50 days between 22 November 2024 until 10 January 2025.

This report has been prepared in accordance with the DPE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) October 2022* and *State Significant Development Guidelines – Preparing an Amendment Report (Appendix D) October 2022*. Accordingly, this report is divided into two parts: Part 1 being the Response to Submissions; and Part 2 outlining the Amendment Report.

1.1. APPLICANT DETAILS

Descriptor	Proponent Details
Full Name(s)	The Trustee for Pariter Mingara Unit Trust
Postal Address	Level 23, 126 Phillip Street SYDNEY NSW 2000
ABN	ACN 662 596 830
Nominated Contact	Andrew Melhem - Development Director

1.2. EXHIBITED PROJECT

The SSDA (as submitted and exhibited) sought consent for:

- Site establishment works, including minor excavation, tree removal and earthworks.
- Construction and operation of:
 - Thirteen (13) villa buildings, housing four (4) independent living units in each
 - Three (3) multi storey independent living unit (ILU) buildings of:
 - Building 1 – undercroft car parking, 5 levels of 2-bed and 3-bed ILUs
 - Building 3 - undercroft car parking, 6 levels of 2-bed and 3-bed ILUs
 - Building 4 - undercroft car parking, 5 levels of 2-bed and 3-bed ILUs
 - One (1) mixed high care suites and ILU building (Building 2) of:
 - Part undercroft car parking, part communal/amenities level at ground with 3 levels of high care suites and 3 levels of ILUs
 - The building will include communal facilities including a café, residential lounge, multi-function spaces, consultation/therapy rooms, and staff/admin areas.
- Provision of 219 x 2-bed and 3-bed independent living units and 39 high care suites (residential age care)
- Total site GFA of 31,739.7sqm comprising:
 - Villas: 7,223.4sqm GFA
 - Building 1: 4,595.6sqm GFA

- Building 2: 5,315.7sqm GFA
- Building 3: 5,520.0sqm GFA
- Building 4: 9,085.1sqm GFA
- Vehicle access will be provided via the existing road access from Wyong Road and via Mingara Drive. The site also accommodates a north-south internal shared access road and dedicated porte cochere in front of Building 2.
- Private, passive and communal open space, landscaping and perimeter and internal pedestrian pathways.
- Subdivision of the land and two stage construction, followed by consolidation.

1.3. SUPPORTING DOCUMENTATION

This RTS and Amendment Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

Appendix	Report	Prepared By
Appendix A	Athletics Consent and Stamped Drawings	Wyong Council
Appendix B	Architectural Drawings	Marchese Partners Architects
Appendix C	Architectural Design report and Response to Submissions letter	Marchese Partners Architects
Appendix D	Architectural Design verification Statement	Marchese Partners Architects
Appendix E	Landscape Drawings	Taylor Brammer
Appendix F	Transport and Accessibility Impact Assessment (TAIA), including Event Traffic Management Plan	Traffix
Appendix G	Access Report	Purple Apple Access
Appendix H	Aboriginal Cultural Heritage Assessment Report	Travers Bushfire and Ecology
Appendix I	Waste Management Plan	MRA
Appendix J	Civil Drawings	Stantec
Appendix K	Design with Country Framework Report	Yerrabingin
Appendix L	Stormwater Management Plan	Stantec
Appendix M	Biodiversity Development Assessment Report (BDAR)	Ecologique
Appendix N	Ecological Response Letter	Ecologique
Appendix O	Spill Lighting Impact Assessment	Webb Australia Group

Appendix	Report	Prepared By
Appendix P	Noise Environmental Impact Study	Pulse White Noise Acoustics
Appendix Q	Flood Impact Assessment (FIA)	Stantec
Appendix R	Flood Emergency Management Plan (FEMP)	Stantec
Appendix S	Water and Servicing Plan	Triaxial
Appendix T	Groundwater, Surface water and Salinity Assessment	Stantec
Appendix U	Acid Sulfate Soil Assessment Report and Preliminary Management Plan	Stantec
Appendix V	Geotechnical Assessment	JK Geotechnics
Appendix W	Amended Estimated Development Cost (EDC)	Rider Levett Bucknall
Appendix X	Mitigation Measures (as submitted)	Urbis

2. PART 1: RESPONSE TO SUBMISSIONS

2.1. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

The SSDA was publicly exhibited between 22 November 2024 to 10 January 2025. There were eight (8) submissions received from public agencies and the local Council, and sixty-one (61) submissions received from special interest groups, members of the local community and individuals.

All submissions were managed by DPHI, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-63475709).

2.1.1. Council and Agency Submissions

A total of eight (8) submissions were received from Government Agencies during the public exhibition of the SSDA. The following agencies made submission during the exhibition period:

- Central Coast Council
- Ausgrid
- Department of Climate Change, Energy, the Environment, and Water (**DCCEEW**)
- Transport for NSW (**TfNSW**)
- State Emergency Service NSW (**SES**)
- Fire and Rescue NSW (**FRNSW**)
- Heritage NSW – Aboriginal Cultural Heritage group
- Conservation Programs, Heritage and Regulation (**CPHR**)

In addition, the DPHI issued a formal Request for Additional Information (**RFI**) on 29 January 2025 which identified several matters which require a proponent response.

2.1.1.1. Summary of Key Issues

Of the 8 submissions received by Government Agencies, all submissions commented on the proposal. The comments are genuine requests by agencies for the DPHI to further consider aspects of the application or request additional information as have been considered individually in **Section 2.4** due to the technical nature of the comments.

2.1.2. Public Submissions

Overall, fifty six (56) submissions from members of the public were received during the exhibition period. Fifty four (54) were classed by DPHI as unique submissions. Of the 54 unique submissions, 50 submissions objected to the proposal and 4 provided comments. The submissions were received from the following locations:

- | | |
|-----------------------------------|--------------------------------------|
| ▪ Tumby Umbi: 21 submissions | ▪ Bateau Bay: 2 submissions |
| ▪ Killarney Vale: 5 submissions | ▪ Sydney Olympic Park: 2 submissions |
| ▪ Wamberal: 5 submissions | ▪ Chittaway Bay: 2 submissions |
| ▪ Forresters Beach: 4 submissions | ▪ Gorokan: 1 submission |
| ▪ Berkley Vale: 2 submissions | ▪ Kariong: 1 submission |
| ▪ Empire Bay: 2 submissions | ▪ Saratonga: 1 submission |
| ▪ Springfield: 2 submissions | ▪ Gwandalan: 1 submission |
| ▪ Tuggerawong: 2 submissions | ▪ Shelly Beach: 1 submission |

- Glenning Valley: 1 submission
- Kincumber: 1 submission
- Long Jetty: 1 submission
- The Entrance: 1 submission
- Narara: 1 submission
- Wadalba: 1 submission

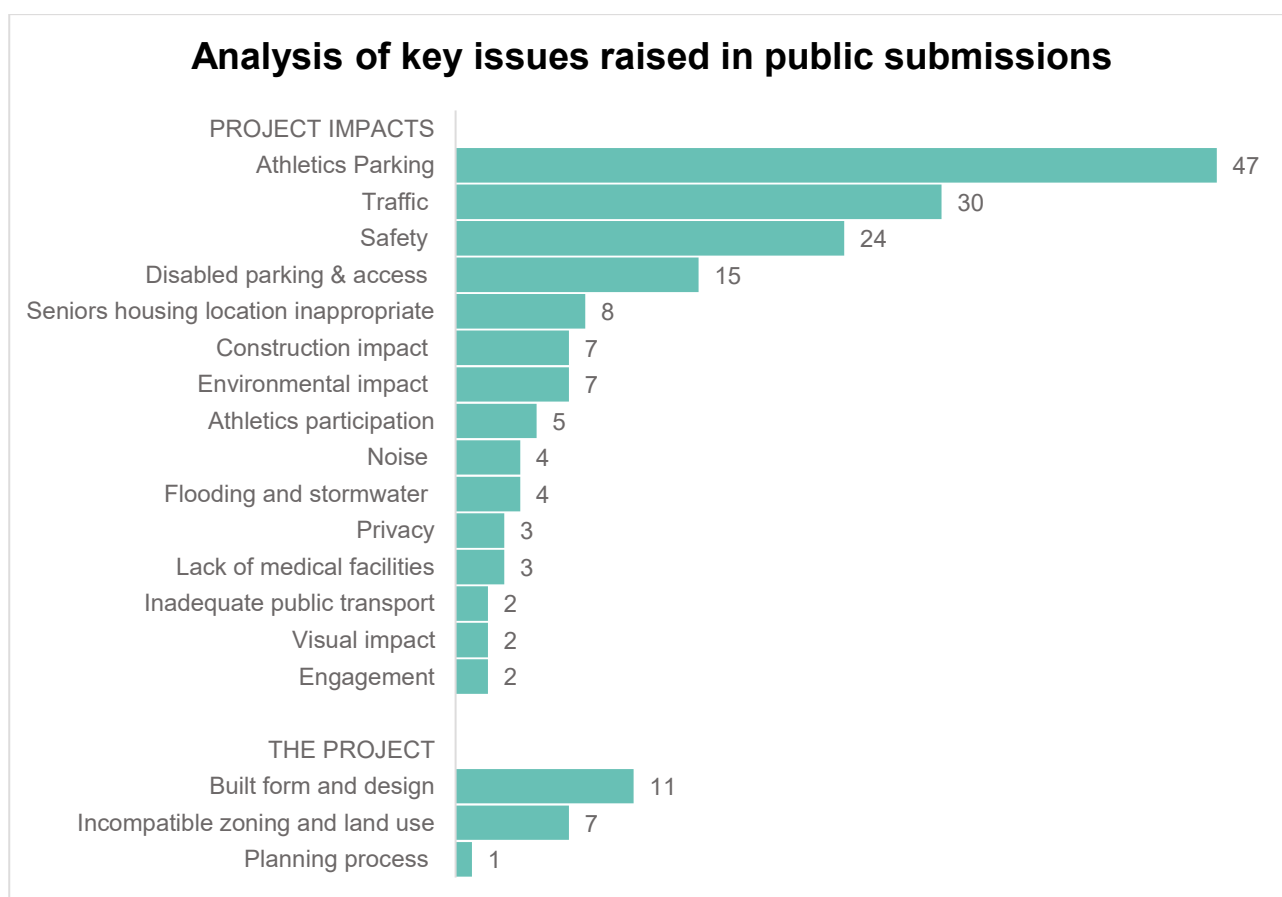
Overall, 50 people objected to the project and 4 commented on the project based on the submissions received.

2.1.2.1. Summary of Key Issues

Urbis has reviewed and analysed the key issues identified in the public submissions. In accordance with the DPHI “*Preparing a Submissions Report*” guideline, issues raised have been categorised in a thematic and impartial way to enable a clear response to each issue. This includes analysis of submissions by category (for example, the project, project impacts, etc) and key issues (for example: car parking, noise etc.). Notwithstanding, certain issues will be responded to in conjunction with another (for example, car parking and safety).

The category and key issues are summarised in the graph below, illustrating the number of times an issue was raised across all of the submissions.

Figure 1 Categorisation of Public Submissions



A response to each of the key issues raised in the submissions is provided in **Section 2.4.5**

2.1.2.2. Categorising Key Issues

In accordance with the DPHI *State Significant Development Guidelines*, the issues raised in the submissions have been categorised as outlined in **Table 2**.

Table 2 Categorising Issues Raised

Category of Issue		Summary of Matters Raised
The project	Built form and design	Inconsistent with prevailing built form, EIS does not justify the proposed building heights enough.
	Incompatible zoning and land use	The proposed development is inconsistent with the objectives of the RE2 zone, permissibility.
	Planning process	Submission of the SSD to DPHI and not Council.
	Engagement	Weren't aware of the proposed development until exhibition, lack of changes from the scheme presented at community engagement to the lodged scheme.
Project impacts	Athletics Parking	Loss of parking will create safety risks for participants, contributing to traffic congestion in surrounding streets, no clear plan for alternative parking arrangements, athletics facility use is increasing and therefore parking should be increased, inability for the club to host major events if the seniors housing is approved.
	Traffic	The relocation of parking will result in on-street parking being used and reducing parking access for residents, submitted traffic report does not reflect the prevailing traffic conditions, local road network and intersections are not capable of supporting the development, traffic volumes are outdated, no clear plan for separating traffic modes and users, clarification if any off site upgrades are required.
	Safety	Youth age groups accessing the athletics track from club carparking poses safety risks, how will pedestrian and vehicles be separated during construction and operation, the traffic report has not adequately addressed pedestrian safety, women's safety following evening track events.

Category of Issue		Summary of Matters Raised
	Disabled parking and access	The distance between the club or Legends carpark would reduce participation from disabled athletes, emergency vehicles are unlikely to access the site during larger events.
	Seniors housing location inappropriate	The location of the seniors housing development will lead to the cessation of the athletics track, concerns over the conflict between gambling within the club and seniors occupants.
	Construction impact	How will construction vehicles be managed at the site entrances and the Hansen Road, Mingara Drive and Wyong Road intersection.
	Environmental impact	Impacts of the construction works on nearby wildlife (e.g. river turtles and birds) due to runoff into watercourses, strategies to protect existing ponds, increase in foot traffic in environmentally sensitive areas, tree removal.
	Athletics participation	Impact associated with the proposed development will lead to a decrease in participation, undermines the ability for the club to expand.
	Noise	Maintaining a buffer zone between the aged care and athletics track, concerns over noise related restrictions being imposed on athletics track users, concerns over prolonged construction noise, noise intrusion from seniors to nearby accommodation.
	Flooding and stormwater	The revised package should consider tsunami inundation, increasing discharge into Tuggerah Lake is not recommended due to existing flooding issues, increase in runoff to the existing riparian corridor due to increase in impermeable surfaces, quality of runoff into drainage corridor.
	Privacy	All of the homes on the fence line of Glengara and Jaegar Road will be overlooked, further attempts to reduce the opportunity for overlooking should be investigated, demands for vegetation screening between Glengara and the proposed development.
	Lack of medical facilities	Concerns over nearby medical centres being full and not accepting new patients, quality in-

Category of Issue		Summary of Matters Raised
		home care is difficult to access in the Central Coast.
	Inadequate public transport	The analysis of surrounding public transport is misleading, the Green Travel Plan should be updated to call out the opportunity for bus shelters to be installed as stops likely to be used by the residents and staff of the proposed development.
	Visual impact	Building 1 will have a significant impact through obstructing the entry vision to the athletics track, the wooded ridge line is of unique scenic quality and its vista should be protected, the selected viewpoints have been selectively chosen to mask the interruption of the proposed development.

2.2. ACTIONS TAKEN SINCE EXHIBITION

This section summarises the refinements that have been made to the Project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised by the public agencies and organisations.

2.2.1. Further Engagement

Since the SSDA was publicly exhibited, the Applicant has undertaken further consultation with DPHI and Central Coast Council to discuss the issues raised within the submissions received. The Table 3 below summarises the consultation undertaken since public exhibition and the outcome of the engagement.

Table 3 Engagement

Stakeholder	How was this group consulted and when	Project Response
Central Coast Council flooding team	Meeting on 9 April 2025	Key matters discussed were flood modelling and Shelter in Place evacuation strategy
Central Coast Council flooding team	Meeting on 21 May 2025	Key matters discussed were the flood modelling and the flood evacuation plan as well as the medical facilities available on site. Council confirmed endorsement of shelter in place as an evacuation strategy given the clinical care available on site and the capability to treat most emergencies.
Central Coast Council waste team	Email correspondence from Council responding to MRA (waste consultant) dated 24 February 2025 and 3 March 2025	Key matters discussed were: - Waste cupboards in lieu of waste rooms for bin chutes. - The size of the truck to collect waste from the site. - FOGO chutes
DPHI	Meeting on 7 April 2025 and Meeting on 16 June 2025	Discussion on status of RTS and clarification of matters raised in the submissions. Applicant provided update on key RTS matters and the key

Stakeholder	How was this group consulted and when	Project Response
		areas of discussion were on design amendments, car parking, flooding and development staging.

We note that the proponent is intending on undertaking further stakeholder engagement with the Athletics field users in late August 2025.

2.2.2. Refinements to the project

In response to the key issues raised within the submissions, the proposed development has been amended since public exhibition.

Site Wide Amendments

- Adjustment to the flood levels resulting in minor ground level RL amendments.
- Internal road modified and turning head provided for ambulance
- Internal road modified to reduce extended villa driveway to increase overall communal open space area across the site.

ILU/ Residential Aged Care – Building 2

- Ground level changes of including garbage room modified, and back of house re-arranged to include:
 - Bulky waste, clinical waste relocation, cleaners store relocation,
 - Redesigned garbage room layout, FOGO chute added and relocation of waste
 - Loading to accommodate HRV vehicle.
 - Awning added over waste loading to provide weather protection
- Waste management amendments including waste collection outside B2 and chutes changes
- Ambulance parking relocated outside B2
- Minor façade treatment and changes to assist in wayfinding/building identification and differentiation
- Private open space terraces increased
- Communal open space increased
- Louvres re-arranged on the north/west orientation

Independent Living Units – Buildings 1, 3 and 4

- Passenger bus relocated inside B1
- Area dedicated to roof plant increased in B1
- B1: storage cages relocated,
- B1, B3, B4: louvres re-arranged on the north/west orientation
- POS increased to B1, B3 and B4 terraces (level 1 and penthouse)
- Unit layout changed to B1.101, B1.108

- Modified units to achieve solar: B1.106, 1.107, B1.206, B1.207, B1.306, B1.307, B1.406 and B1.407
- Modified units to achieve indentation in building façade to achieve cross ventilation: B1.104, B1.105, B3.104, B3.105, B1.204, B1.205, B3.204, B3.205, B1.304, B1.305, B3.304, B3.305, B1.404, B1.405, B3.404, B3.405, B3.504, B3.505
- Landscaped embellishments to RFB balconies / Landscape planting added to further articulate the façade to create a central break to: B4.107, B4.109, B4.207, B4.209, B4.307, B4.309, B4.407 and B4.409
- Waste amendments to all buildings including FOGO chute
- Minor façade treatment and changes to assist in wayfinding/building identification and differentiation

Villas

- Arbors with climbers added
- Window opening added to bedroom to increase surveillance to the internal road
- Parking spaces clarified to read as double stacked not triple spaces. It is noted that the shared zone (previously read as a third space) removed as no longer required to achieve AS2890.6.
- Increased landscaping along frontages.
- Villa levels updated as a result of the civil design/flooding advice
- Minor façade treatment and changes to assist in wayfinding/building identification and differentiation

Athletics Track Parking and Interface

A key matter raised in the submission was athletics parking, specifically the convenience of available parking for athletics users, safety concerns and traffic and parking management within a broader precinct.

Management measures during times when the athletics track is in use as well as design measures have been included into the project to respond to the submissions.

Currently the car parking for athletics users is somewhat unregulated and unmanaged and as such this RTS has rectified by providing some improved management measures in place. This also includes the preparation of an Event Traffic Management Plan (ETMP) which is appended to the Transport Impact Assessment.

This ETMP is specific to the Mingara Club Precinct and specifically addresses users of the Athletics track by documenting the proposed traffic management measures and arrangements for typical events undertaken within the Mingara Club Precinct. The ETMP covers general track events, school athletics carnivals and carnival days.

Extracts from the ETMP are below in Figure 2 and 3 and show the arrangement of the car parking across the precinct and walking distance. Namely that the Legends all weather car park (northern 'blue' car park) is a 3 minute walk and that the large all weather car park to the south of the club is around a 6minute walk. Pedestrian footpaths are used to access these areas. Figure 3 shows the location of the overflow car parking and measures such as signage and traffic controllers.

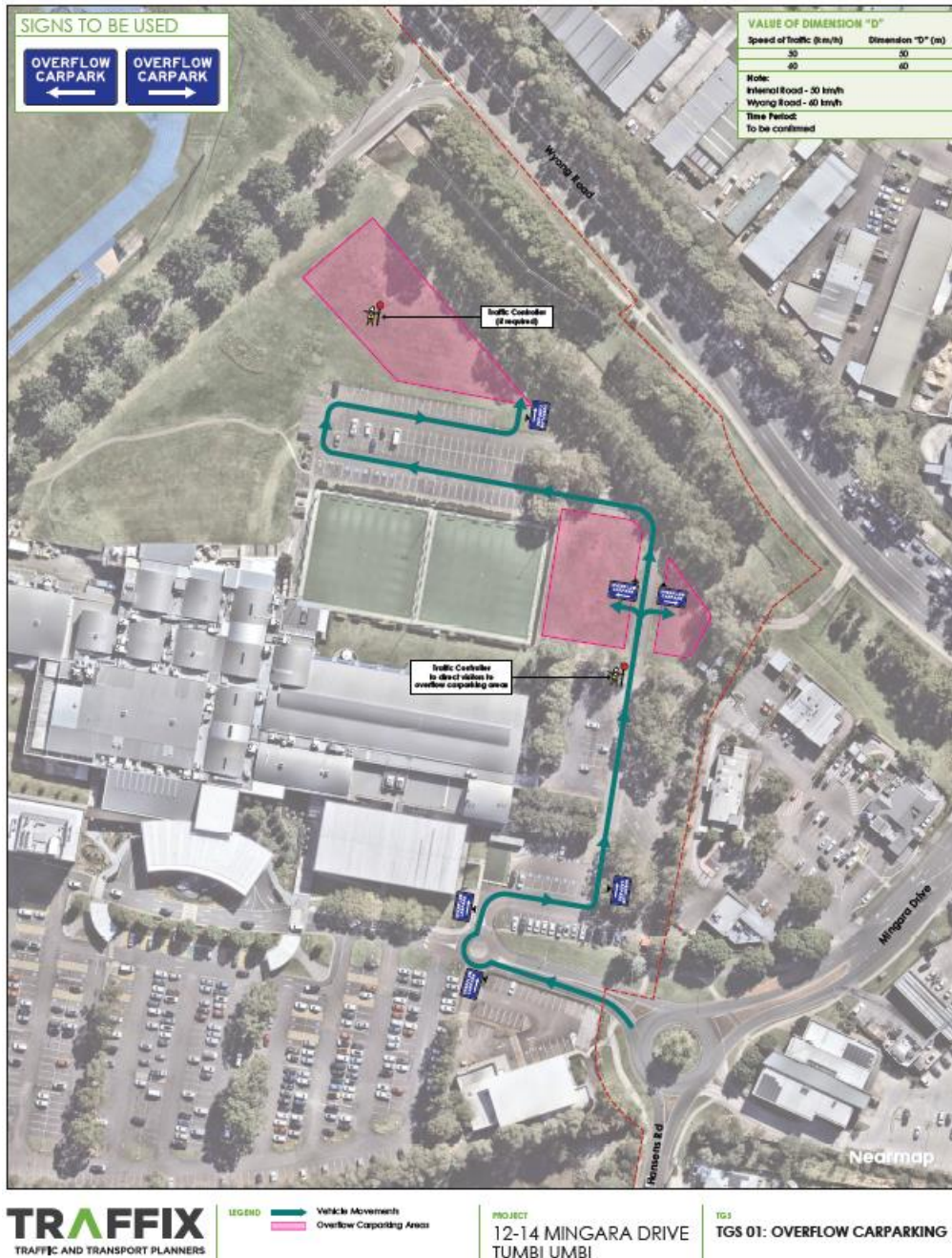
Physical works are also proposed through landscape embellishment works at the interface between the retirement village and the Athletics Track and as well as inclusion of 5 accessible car parking spaces, bollards, and a formalised new accessible pedestrian pathway to car parking areas to the north of the Club. Given these physical works are outside the development site, these are detailed in the Part 2 of this report and assessed accordingly.

The proposed amendments to the application, including the changes to embellish the athletics interface, accessible athletics carparking and pedestrian connectivity are discussed in more detail in **Part 2** of this report.

Figure 2 Precinct Parking



Figure 3 Overflow parking



2.3. ADDITIONAL IMPACT ASSESSMENT

A number of reports and plans have been updated to respond to the issues raised within the submissions and were detailed in Section 1.3.

Although not an item specifically required to be addressed in the response to submissions, the Acid Sulfate Management Plan (ASSMP), as originally submitted, has been updated. This is to enable treated PASS to be kept of site and used as structural fill. This has been confirmed by JK Geotechnics, refer to **Appendix V**.

2.4. RESPONSE TO SUBMISSIONS

2.4.1. Summary

This section of the Submissions Report details the key issues raised in submissions made by Government Agencies and the public during the exhibition period for the EIS, as well as the most recent request for information from the DPHI dated 29 January 2025.

The content of each submission has been carefully reviewed and captured. The discussion below sets out the key issues raised by category and provides a response to the submission issues. Where the response relies on the assessment of technical matters by the project team, a summary is provided, direction is provided to the supporting technical document for a full analysis of the issue.

2.4.2. DPHI RFI

The following section provides a response to each key area of comment of the DPHI's RFI letter. Some extracts from the letter have not been provided in full in this Table 4, however the submission responds to each matter raised.

Table 4 Response to DPHI Comments

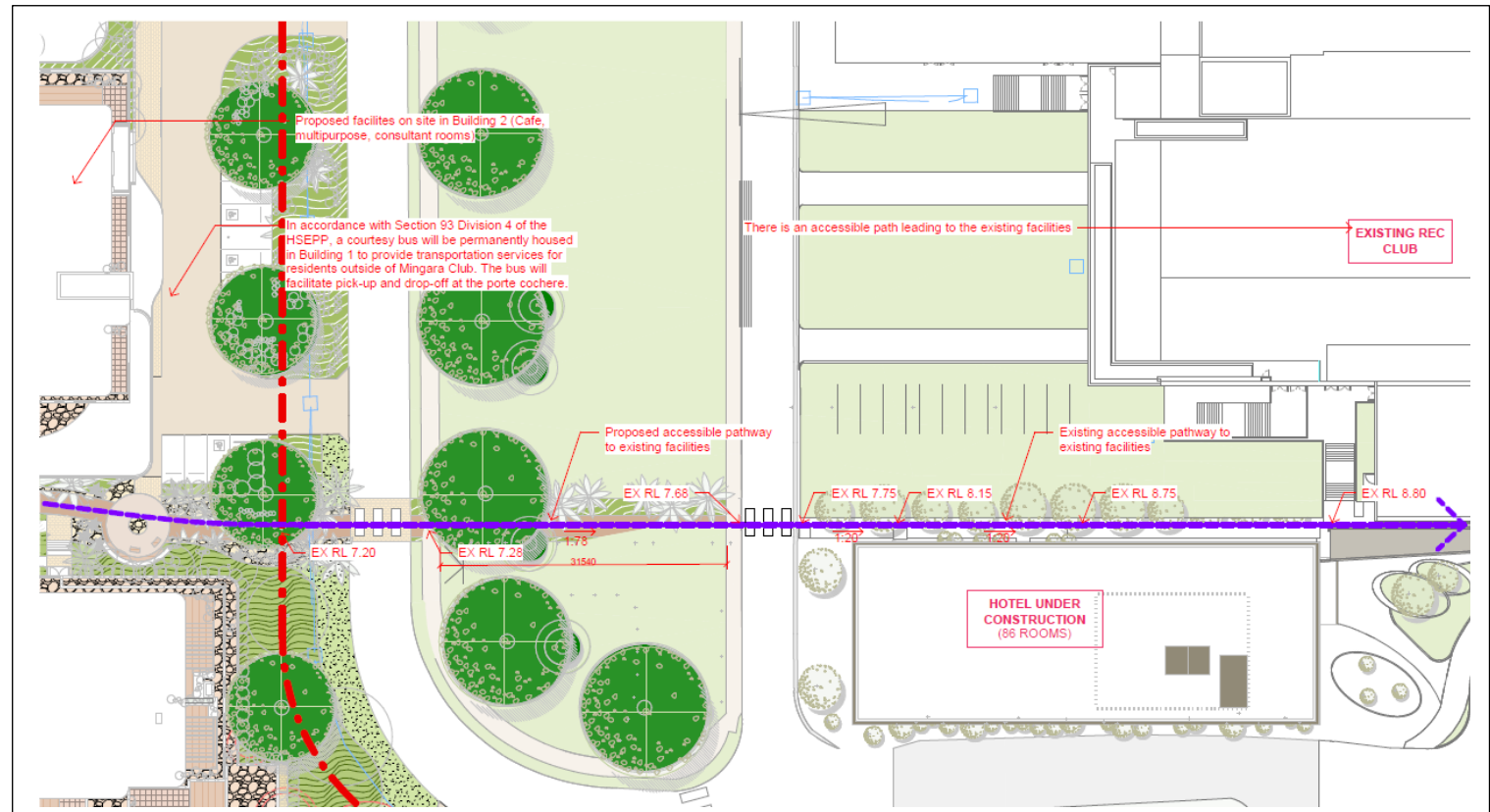
Comment	Response
Athletics Track	
Confirm whether the proposed changes to parking, accessibility and operations of the adjoining athletics facility will continue to satisfy the conditions of the existing development consent (DA/420/98). In particular, provide details/evidence in relation to: (a) if any amendments to the approved plans/conditions of DA/420/98 are required to accommodate the proposed design and siting of the seniors housing development (b) whether the proposed precinct-wide Mingara Recreation Club parking management approach will continue to satisfy the requirements under Condition 8 of DA/420/98. (c) engagement with Council in relation to any changes to the consent. Should any amendments to the existing development consent be required, provide an assessment of the amendments and the mechanism for modifying the consent, so that this proposal would not be inconsistent with the terms of the existing consent.	A GIPA Request to Central Coast Council was submitted on 11 February 2025 to obtain the Notice of Determination (NoD) and Stamped Plans for DA/420/98. In March 2025, Council provided the NoD and Stamped Plans for DA/420/98 (refer to Appendix A). We note that we were unable to source the Construction certificate documentation associated with DA420/98. Condition 8 states the following: <i>8 The design of the access roads and carparking for the development is to include:</i> - <i>provision for set-down areas</i> - <i>provision for buses</i> - <i>provision for cyclists and pedestrians. Bicycle parking is to be in a secure area near to the development</i> - <i>the temporary and ultimate access roads</i> - <i>the road corridor from the western carpark to Beckingham Road</i> - <u>provision for 150 all-weather parking spaces near to the development</u> - <u>an additional 150 carparking spaces to be provided as grassed overflow parking.</u> The stamped plans (Drawing Site Plan 2886-CC01 Issue B prepared by Paynter Dixon) do not show a specific location of the additional 150 grassed overflow car parking spaces but do indicate nearby 'grass areas'. In accordance with the requirements of Condition 8, the proposed development is not inconsistent with this consent and continues to provide a minimum of 150 car parking spaces across the Legends and club car parks. An additional

Comment	Response
	150 overflow car parking spaces are proposed to be located north of the Legends carpark to comply with Condition 8 of DA/420/98. Ultimately, the proposed development will ensure that the conditions of DA/429/98 are continued to be complied with, and no modifications to the existing development consent are required. A spatial representation of where the 150 all weather spaces near to the development (namely within the 791 existing club spaces) and the additional 150 grassed overflow spaces continue to satisfy the consent and to comply is shown in Figure 2. This represents the arrangement of spaces during Athletics events.
Provide an updated Mingara Club Traffic Management Plan (Appendix C to the Transport and Accessibility Impact Assessment), which includes: (a) a precinct-wide pedestrian accessibility plan and event management details, inclusive of any proposed pedestrian accessibility improvements required to facilitate the proposed seniors housing development and safe pedestrian access to the athletics track (b) the proposed precinct-wide approach to the management and provision of all parking, including the location and management of parking required to accommodate demand generated by major events (e.g., athletics carnivals) as well as the requirement and location of any temporary/overflow parking (c) details of the location of adequate and compliant accessible parking spaces within proximity to the entry of the athletics track (d) existing and proposed pedestrian connections to ensure accessible, safe and convenient access between the athletics track and all parking. Any new development works required to satisfy the above should be incorporated into the proposed seniors housing development and the details outlined in an amendment report.	An Event Traffic Management Plan (ETMP) as been prepared and is appended to the Transport Impact Assessment (Appendix F). This ETMP is specific to the Mingara Club Precinct and specifically addresses users of the Athletics track by documenting the proposed traffic management measures and arrangements for typical events undertaken within the Mingara Club Precinct. The ETMP covers general track events, school athletics carnivals and carnival days. Larger one off club events are not covered in the plan as a separate ETMP would need to be prepared. The ETMP addresses each of the items in the DPHI submission and has the following objectives: ▪ Outline the traffic management measures for typical events held within the Mingara Club Precinct ▪ Ensure the safety of employees, contractors, general public, pedestrians, cyclists and traffic ▪ Keep traffic delays to a minimum ▪ Maintain satisfactory property access ▪ Minimise disruption to nearby businesses ▪ Minimise disturbance to the environment Pedestrian travel paths between on-site car parking areas and the Athletics Track are presented in Figure 2. It is noted that six (6) new or reconditioned pedestrians crossing points will be provided as part of the proposed. Traffic guidance schemes will be implemented when required and is diagrammatically demonstrated in <i>Appendix A</i> of the ETMP. Design amendments made since exhibition include the inclusion of 5 accessible parking spaces adjacent to the main Athletics club entry, the inclusion of a new accessible footpath to the Legends car park and clear management measures in the EMTP of the use and location of 150 overflow parking spaces within easy walking distance of the track. Additional information on the additional design measures is at Part 2. It is noted that the current parking arrangements for the athletics track are somewhat informal and unmanaged. The current arrangement will be better regulated and addresses

Comment	Response
The Department notes that the proposal seeks to modify the existing loop road at the entrance to the athletics track, however the proposal would remove the informal hardstand/drop off area. The Department considers an opportunity exists to improve the relationship with the proposal and to provide a formal entry plaza to the athletics track. Accordingly, the Department requests: (a) the submission of revised plans detailing an urban design response at the athletics track entry that provide a positive interface between the athletics track and the proposed development (b) vehicle swept path details for the largest vehicle demonstrating the proposed augmentations to the drop off loop road will satisfactorily accommodate the desired vehicles.	the many concerns raised in the submissions including safety and accessibility. The location of the all weather and over flow car parking areas will be managed, signed and include formed and lit pedestrian paths and use of traffic controllers. The proposed overflow location is also located in a more visually prominent area of the site than the current grassed area, as it fronts Wyong Road and the internal driveway road as well as being over looked by the Club building as well as the future ELC, improving the safety. The proposed development has been amended to accommodate an updated interface between the seniors housing development and the entrance to the athletics track. This includes the following: ▪ Provision of a pathway between the athletics track and retirement village to provide access to riparian area and waterway. ▪ General site landscaping including trees, shrubbery and grassed areas, ▪ Provision of a new hardstand and paved areas to connect with the existing concrete path and improve the arrival experience for athletics track users. ▪ Removal of existing light pole, and planting of a new garden bed. ▪ Provision of five (5) accessible car parking bays. ▪ Incorporation of bus drop off/ pick area In addition to the above, vehicle swept paths have been prepared by Traffix (traffic engineer) at Appendix F which confirm that the vehicles which presently use the loop road can continue to use this space following augmentation. Previously, the absence of a formal hardstand to accommodate the large number of people attending events led to significant deterioration of the grassed areas. The proposed design responds to this issue by incorporating dedicated seating areas, providing a more comfortable and functional space for waiting spectators and improving the overall amenity of the interface, accommodate waiting spectators or staff, enhancing comfort and usability while supporting a more welcoming interface.
Traffic and Car Parking	
Address all parts in section 93, Division 4 of the Housing SEPP and provide additional details of the courtesy bus operations.	The development includes a permanently stationed courtesy bus in Building 1 to provide transport services, satisfying the requirement under Section 93(2). The retirement village site is located adjacent to an existing club premises (which also has supporting services and facilities for residents), and an additional pathway is proposed to be constructed to connect with the existing pathway leading to the club. Please refer to drawing, prepared by Marchese below, that complies with Section 93(4), below.

Comment

Response



The courtesy bus will accommodate approximately 11 passengers (Toyota Hiace Coaster etc.), provide multiple services throughout the day and will pick-up and drop-off residents from the entrance of Building 2. The bus will be stored overnight in a dedicated parking space under Building 1.

Provide amended plans/details which demonstrate the design and width of all internal shared roads allow for safe vehicle movements, including turning and passing, waste service vehicle operations, emergency vehicle access and removalist trucks.

Swept path analysis is within *Appendix D* of the update TAIA report and Traffix drawings TX.04 Rev B, TX.04a Rev B, TX.07 Rev B and TX.07a Rev B. The Traffix drawings and the Marchese Architecture drawing (SK2.01A Rev 2) contain the dimensions of the internal road and illustrate the two-way traffic "bypass" areas. The bypass is located within a 30m safety distance and has a width exceeding 5.5m, consistent with standard two-way road requirements.

Comment	Response
	The internal road is designed for shared use by residents. The design changes comprises a shortening of the villa driveway, inclusion of reinforced grass and widening the internal road to accommodate the bypass swept path for the two-way travel. The traffic engineer has supported the design and prepared swept paths. Both the architectural drawings and landscape drawings reflect the amendment to the internal road and driveway. To maintain safety, no heavy vehicles will be allowed to access the internal road. Refer to the Waste Management Plan, waste services will be handled by the building's facilities management team, with waste taken to the temporary bin store facilitated with a bin tug and stored in Building 2. Removalist trucks will unload heavy items near the loading bay, with items then transported to the units and villas with arranged service assisted by the operational management team. The road leading from the main entry has a width of 6.3 metres to accommodate emergency vehicles, such as fire trucks, ensuring they can service the retirement village. A designated hardstand area is provided for fire trucks near the main entry road. Fire services will be using the hydrants spread along the internal road at intervals to ensure effective fire emergency response. Fire hydrant placement details will be finalised and included in the documentation during the detailed design stage.
Provide details of traffic calming devices or surface treatments to ensure the shared road is safe for pedestrians.	The proposed internal roads provide coloured/textured elements and will be posted as 10km/h shared zones, which is consistent with neighbouring aged care facilities. Noting the shared zone status of the internal roads, the one-way sections of road (acts as traffic calming), and the low posted speed limit, no speed humps are proposed. Speed humps may be a tripping hazard for residents walking through the site and may cause accessibility issues for residents in wheelchairs/scooters. Residents will be well aware of the road environment and will drive accordingly. Shared zone signage and positioning can be further detailed at Construction Certificate stage.
The Environmental Impact Statement and accompanying documentation quotes different employee numbers, varying between 10 to 15. Please clarify the number of employees on duty at the same time. Where necessary, staff parking must be increased to accommodate sufficient parking for employees in line with the Chapter 3, Part 5(107) of the Housing SEPP.	There will be ten (10) employees on site at any given time.
Confirm driveways, car parks and walkways would have a level surface with a maximum gradient of 1:40 in any direction in accordance with Schedule 4, Part 1(4) of the Housing SEPP.	The driveways, car parks, and walkways within the site have been designed in accordance with the Housing SEPP and relevant Australian Standards.
Provide an amended Access report that provides an assessment of the proposed two storey villas against the accessibility standards outlined in Schedule 4, Part 1(2) of the Housing SEPP as the Villas are not Class 1 buildings.	An updated Accessibility Report has been prepared by Purple Apple Access to assess the proposed villas against the relevant accessibility requirements. The report confirms that the proposed villas are comply with the standards outlined in Schedule 4, Part 1(2) of the Housing SEPP and are capable of complying with the relevant BCA and DDA provisions.

Comment	Response
Amend the proposal to provide a separate ambulance parking space for the proposed residential care facility in accordance with section 107(2)(j) of the Housing SEPP.	The proposed ambulance parking space has been relocated to be adjacent the drop-off zone on the Ground Floor of Building 2. This revised layout designates a dedicated space exclusively for ambulance use, ensuring it is no longer shared with the waste management and loading bay facilities.
Built Form	
All plans must be updated to include maximum building heights in metres for each building. Where the maximum building height exceeds 9.5 m as prescribed in sections 107(2)(a) and 108(2)(a) of State Environmental Planning Policy (Housing) 2021 (Housing SEPP), clause 4.6 variation requests under Central Coast Local Environmental Plan 2022 will be required to justify the proposed non-compliances.	The Architectural Plans have been updated to included maximum building heights of each building. These are as follows: ▪ Building 1: 21.8 metres ▪ Building 2: 27 metres ▪ Building 3: 24.8 metres ▪ Building 4: 22.1 metres Whilst it is acknowledged that the proposed building heights exceed the 9.5 metre height limit prescribed by Sections 107(2)(a) and 108(2)(a) of the Housing SEPP, DPHI have provided recent advice that Cl4.6 Variation Requests are not required for non-discretionary development standards where there are no underlying controls from another EPI. As such, no Cl4.6 Variation Request has been prepared.
The Department notes that the proposal will exceed the specified floor space ratios under sections 107(2)(c) and 108(2)(c) of the Housing SEPP. Accordingly, please submit clause 4.6 variation requests to justify the proposed non-compliances.	The proposed development will have a floor space ratio (FSR) of 1.05:1. The site is not subject to a maximum floor space ratio. As outlined above, DPHI have provided recent advice that Cl4.6 Variation Requests are not required for non-discretionary development standards where there are no underlying controls from another EPI. As such, no Cl4.6 Variation Request has been prepared for the proposed FSR.
Confirm the extent of roof surface area for servicing equipment pursuant to sections 107(2)(b) and 108(2)(b) of the Housing SEPP.	Refer to DA2.54, 2.67, 2.74, 2.84 to the plant area on the roof.
Provide revised plans for Buildings 1 to 4 incorporating the following design measures: (a) articulated entries and treatments to minimise and appropriately screen the visual dominance of car parking to improve the interface with the internal streets (b) differences in the building facades to improve wayfinding and visual interest. (c) vertical shading devices to mitigate solar heat gain as referred to in the EIS.	The following architectural and design inclusions and/or updates, confirmed by the Project Architect, will address the comments (including from a social impact and CPTED perspective): (a) landscape screening and louvre treatment will conceal the parking area from the street level. Climbing vines on the car park screens will soften visual impacts and support natural ventilation. A landscaped buffer at the car park interface will further mitigate visual impacts. (b) Each building will feature variations in colour for visual differentiation. Glazed bricks at the entrances will also support wayfinding and assist visitor to identify the entrance.

Comment	Response
	(c) The podium roof has been updated to integrate extended landscaping, mitigating solar heat gain through increased green cover. Roof terraces associated with the penthouse units have been enlarged, effectively using the roof space while addressing solar exposure. The updated Architectural Plan by Marchese Partners (2025) further shows that awnings have been introduced to the private open spaces (POS) of the penthouse areas of Building 1, 3 and 4.
Provide revised plans for all villas incorporating the following design measures: (a) minimise the dominance of garages and incorporate windows or balconies to improve visual surveillance between the villas and the internal street (b) clear and articulated entries.	The following architectural and design inclusions and/or updates, confirmed by the Project Architect, will address the comments (including from a CPTED perspective): (a) Additional balconies have been added to the dwellings and windows have been incorporated between Villa Types 1 and 3 and internal streets to address visual surveillance. To minimise the visual dominance of garages, a landscaped arbor element has been integrated along the road and create a green buffer softening the built form and improving streetscape. (b) The main entrance to upper-level units is centrally located. This entry is marked with the use of glazed bricks. Ground-level villas resemble traditional housing, each with their own identifiable front gate and entry door accessible from within the site.
Communal Open Space and Landscaping	
Confirm the following: (a) area of communal open space dedicated to the residential care facility units and independent living units (b) the extent of landscaping achieves at least 35 m² per dwelling, excluding private open space and the shared road	The required internal and external Communal Open Space (COS) for the High Care Suites (HCS) under the Housing SEPP 107(2)d)(ii) is 10 m² per bed. With 39 beds proposed, this equates to a minimum requirement of 390 m² of communal space. Previously, the proposal provided 302 m² of external COS and 235 m² of internal residential lounge area on each level (235x3), totalling 1,095 m². To enhance residential amenity and improve outdoor access for residents, the design has been revised to significantly increase the provision of communal space by utilising the remaining roof area above the podium. This strategic design intervention results in an additional 827 m² of usable rooftop space, in addition to the existing 302 m² of internal space, bringing the total communal open space dedicated to the High Care Suites to 1,532m². This substantial increase not only exceeds the minimum requirement but also supports improved quality of life, greater access to landscaped outdoor areas, and enhanced opportunities for social interaction and passive recreation for residents. For the Independent Living Units (ILUs), the Housing SEPP 108(2)(d)(i) requires a minimum landscaped area of 35 m² per dwelling. With 219 ILUs proposed, this equates to a total required landscape area of 7,665 m². The development proposes a total landscaped area of 10,326 m² (both private and communal open space), which significantly exceeds the

Comment	Response
Consider incorporating landscaping on the expanses of exposed podium roof across the site, particularly Building 2 to improve visual impacts to residents overlooking and reduce the effects of heat gain.	minimum requirement, providing ample outdoor space to enhance resident amenity and support a high-quality living environment. Landscaping has been integrated into the podium roof areas to enhance private open space for the Independent Living Units and improve amenity. Specifically, the podium levels of Buildings 1, 3, and 4 have been utilised to provide further landscaped areas introduced at the penthouse level across all four apartment buildings. These accessible roof spaces expand outdoor recreational opportunities for residents, contribute to improved visual outcomes for those overlooking the podium, and help mitigate heat gain through increased vegetation and shading through incorporation of awnings. The above design approach and inclusions will contribute to mitigating visual impacts/enhancing visual amenity and mitigating potential heat gain.
Amenity and Wellbeing Impacts	
Address the potential for amenity impacts (such as light spill, noise etc) from the operations of the athletics track to the future occupants of the proposed development, noting that the athletics track may operate until 10 pm.	An updated noise assessment and a light spill assessment have been prepared to assess the amenity impacts of the athletics track on the proposed development. The Noise Environmental Impact Study (NEIA) (Appendix P) includes an assessment of external noise intrusion from the athletics track to recommend noise attenuation measures in the proposed development. The assessment recommends specific glazing selections to attenuate potential noise intrusion into the development and ensure compliance with relevance Australian Standards. This includes the provision of 6.38mm laminate glazing and an Rw 30 glazing system rating. The NEIA confirms that standard building materials for external wall and roof construction are suitable and specific noise attenuating materials are not required. A Spill Lighting Impact Assessment (Appendix O) recommends the installation of back and side light shields and luminaire orientation on Light Poles 1 and 2 at the athletics track. This will achieve light spill compliance whilst ensuring that the athletics track remains adequately lit and complies with the relevant Australian Standards. Through incorporating the above measures, the proposed development has addressed the potential amenity impacts from the operations of the athletics track.
Remove villa units from cross ventilation calculations and solar access calculations and provide an updated assessment against the Apartment Design Guide.	Marchese Partners have removed the villas from the cross ventilation diagrams and provided an updated compliance assessment against the Apartment Design Guide. The proposed development will provide 63% of apartments with natural cross ventilation, exceeding the 60% requirement.

Comment	Response
The following information must be provided to enable a thorough assessment of the proposal against section 92 of the Housing SEPP: (a) details regarding the activities and entertainment recommended by the Social Impact Assessment to provide alternative activities to gambling. (b) Clarify if future residents would be required to pay for a membership to utilise facilities within the Mingara Recreation Precinct as the proposal is leveraging on the proximity of the Mingara Recreation Club for facilities and services.	As noted in the updated Design Report (Marchese Partners, 2025), wellness programs and activities, including low-impact exercises, yoga classes, and tai chi, will be offered to residents during operation. The proponent has also confirmed that future residents will have access to a 'joint membership offer' that will allow residents to access part of the Club's amenities and services. The updated Design Report also further details that residents will be provided with gym memberships to use Mingara Recreation Club facilities (gym and lap pool). Residents will obtain a special club membership when they purchase an apartment. At a minimum residents will have access to gym, pool, hydro therapy pool and also potentially gym classes and social activities.
Water and Sewer	
Prepare a water and sewer servicing plan to demonstrate the proposal can be adequately serviced with water and sewer. This must include the point of connection to Council mains, location of conduits between Council mains and the proposed consolidated lot, easements for services.	Refer to the Water and Sewer Servicing Plan (Appendix S). The water and sewer servicing plan demonstrates that the project can be adequately serviced with water and sewer. This plan includes points of connection to Council mains, location of conduits between Council mains and the proposed consolidated lot and services easements. However, at this stage it is not known whether a water and sewer infrastructure upgrade will be required until after the SSDA is approved and a certificate 307 is secured. In applying for a 307 certificate (equivalent to a section 73 in Sydney), Council will assess the existing capacity within their water and sewer assets and issue us with a 306 certificate (equivalent of a NOR in Sydney). At this point they will indicate whether infrastructure upgrades will be required. In early discussions, Council have indicated that the sewer main from Mingara Drive to Wyong Road pumping station will likely need an upgrade, however, this assessment will not be undertaken until the project is approved. The proponent have consulted with Council's Senior Development Engineer in February and March 2025 on this topic and as such the Water and Sewer servicing plan has been prepared in line with their queries and comments.
Planning Matters	
Reduce the private driveway lengths to create more opportunities for deep soil or communal open space.	The internal road layout has been revised to create additional opportunities for communal open space, particularly in areas with spatial constraints near building interfaces. Several driveways have been reviewed and shortened where possible, resulting in an increase in COS. The villa driveways have been shortened to allow for vehicle bypassing and the inclusion of reinforced turf. This reduces the overall hardstand area and allows for increased landscaping and deep soil zones, contributing to a greener, more environmentally responsive setting.

Comment	Response
Provide visualisations of the proposal from land adjoining the southern and western boundaries.	Refer to the Visual Impact Assessment (p.18) prepared by Urbis submitted as <i>Appendix M</i> to the EIS, in 2024 for views illustrating the south-west interface with the adjoining land. The existing mature landscaping along the southern and western boundaries effectively screens the proposed development, ensuring it remains largely concealed from adjoining properties. Additionally, the proposed two-storey villas are designed at a low scale and are set back within the site, further limiting visibility from the south-west. This sensitive transition in built form provides a compatible interface with the existing two-storey dwelling located on the adjacent site, maintaining visual harmony and reducing potential impacts.
Address all relevant Fire and Rescue NSW Fire Safety Guidelines.	Refer to Fire and Rescue's respond letter dated 2 December 2024. FRNSW have conducted their review and have no further comments on the proposed development.
Confirm the extent of gross floor area dedicated to independent living units, residential care facility units and communal facilities.	The proposed total gross floor area (GFA) of 31,597.4m² is broken down as follows: ▪ BOH: 572.2m² ▪ Communal facilities: 712.1m² ▪ Independent living units: 28,245.9m² ▪ Residential aged care facility: 2067.2m²
Provide an assessment of the Seniors Housing Design Guide.	An assessment of the Seniors Housing Design Guide has been addressed in the updated Urban design report.
Aboriginal Cultural Heritage	
Update and expand the Aboriginal Heritage Information Management System (AHIMS) search as requested by Heritage NSW (Aboriginal cultural heritage).	An updated AHIMS Extensive Register search was undertaken on 6 March 2025 which included a buffer zone of approximately 10km in all directions surrounding the study area.
Ensure consultation with Registered Aboriginal Parties (RAPs) is continuous with all consultation included in the Aboriginal Cultural Heritage Assessment Report (ACHAR) and provide evidence of the registration of all RAPs.	An email request for an updated Aboriginal Stakeholder List was issued to Heritage NSW on 6 March 2025. Of the four (4) additional raps identified during this process, three (3) chose to comment on the project and were included in the RAP list. The revised ACHAR was issued to all RAPs on 25 March 2025, with the 28-day review period ceasing on 22 April 2025. A total of nine (9) RAPs responded to the revised ACHAR. These responses are detailed in Section 7 and <i>Appendix 1</i> of the ACHAR at Appendix H .
Update the ACHAR to consider the Geotechnical Report and Predictive Model against details of proposed disturbance.	The ACHAR has been updated to consider the Geotechnical Report and Predictive Model.
Water	
Confirm the maximum annual groundwater take and the ability to acquire sufficient water entitlements.	A Groundwater, Surface Water and Salinity Impact Assessment has been prepared by Stantec and included at Appendix T . The report estimates a total groundwater take during deep pile construction to be 0.5ML. This estimated volume is not a continuous annual take to be consumed or used for supply but is considered the maximum take for the duration of

Comment	Response
	the project. The estimated take volume is also less than the 3 ML take threshold volume requirement under NSW Department of Planning, Infrastructure and Environment guidelines. A water supply work approval will be required, however a water access license is not anticipated to be required.
Flooding	
Undertake a Climate Change Flood Impact Assessment consistent with NSW Flood Impact and Risk Assessment LU01, including considering a climate change flood impact scenario.	Refer to Section 1.5.1 of the revised Flood Emergency Management Plan (FEMP), Appendix R .
Amend Flood Emergency Management Plan to consider H5 flood conditions during the 1%AEP event, H3 flood conditions during the 5%AEP event and H2 conditions during the 20%AEP event.	Refer to Section 1.5.1 of the revised FEMP, Appendix R .
Address clause 5.22 Special Flood Considerations of the Central Coast Local Environmental Plan 2022 as the proposal would not provide evacuation of vulnerable occupants.	Refer to Section 1.5.1 of the revised FEMP, Appendix R .
Waste	
Amend plans to address the following issues pertaining to Building 1 to 4:	The Architectural Plans (Appendix B) have been updated to provide details on areas of residential waste access, bulky waste storage, a temporary bin holding room, waste chutes and waste collections swept paths. The collections areas, temporary bin holding rooms and bulk waste storage is located at the ground floor of each building, with sufficient area provided for waste collection.
(a) provide a separate waste collection point for a HRV to access and collect from each building	
(b) provide bulky waste storage	Waste chutes have been included on each level of Buildings 1-4.
(c) increase the size of commercial waste room	See response to Council's comments.
(d) provide resident access to bin rooms in Building 2, 3 and 4	Vehicle swept paths have been provided to demonstrate workable movements.
(e) address Council's concerns with the proposed waste chutes	
(f) demonstrate swept path movements for a 12.5 m heavy rigid vehicle in accordance with Council's Waste Guidelines	
(g) demonstrate that waste vehicle movements and collection can take place on site clear of any conflicts with other vehicles, structures or building.	
Provide operational waste management details for the villas.	Refer to the Waste Management Plan at Appendix I .

2.4.3. Central Coast Council

The following table provides a response to each of the key recommendations within Central Coast Council's submission. It is noted a number of issues raised in the Council submission have also been previously raised and addressed in response to the DPHI RFI Letter (**Section 4.2**). To avoid duplication, this report references the previous response and relevant appendices as required.

Table 5 Response to Central Coast Council Comments

Comment	Response
Planning	
<i>Water Management Act 2000</i> It is unclear whether the proposed development is located within 40 metres of a watercourse which would require a controlled activity approval under the <i>Water Management Act 2000</i>. The proposed development is to be clearly indicated in relation to the watercourse to determine whether the development is 'Nominated Integrated Development'.	Section 3.6 the project BDAR provides a watercourse assessment which demonstrates that the drainage channel is a constructed concrete lined channel. Under Schedule 4 Exemptions - Part 2 Controlled activities exemptions (28 Activities on waterfront land if river is concrete lined or in pipe) of the Water Management (General) Regulation 2018 (WM Reg.) a controlled activity, and therefore application of the Guidelines, is not required. Notwithstanding, the proponent intends on restoring the drainage channel and easement to provide an improved aesthetic and ecological corridor. A fully structured riparian corridor (i.e., in accordance with the Guidelines) is not feasible due to fire hazard asset protection requirements and the need to maintain unimpeded flood flows within the drainage easement. A Vegetation Management Plan (écologique, July 2024) has been prepared to guide the restoration of the drainage channel and its ongoing maintenance (including fuel reduction management).
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> Clause 2.119 relates to development with frontage to a classified road (Wyang Road) and seeks to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.	Noted. The TAIA has assessed the relevant sections of the T+I SEPP.
Flooding	
<i>Clause 5.21 – Flood Planning:</i> The 1%AEP flood event partially impacts the development site. Depths range from 10-100mm at the southwestern boundary of the development site to 5mm at the eastern boundary of the development site. Flow velocities through the site typically	Noted.

do not exceed 0.1m/s and the flood hazard is classified as HI in the 1%AEP event, which is safe for the elderly.

Clause 5.22 – Special Flood Considerations:

This clause applies to sensitive and hazardous development land between the flood planning area and the probable maximum flood, noting sensitive and hazardous development means development comprising boarding houses, caravan parks, correctional centres, early education and care facilities, eco-tourist facilities, educational establishments, emergency services facilities, group homes, hazardous industries, hazardous storage establishments, hospitals, hostels, information and education facilities, respite day care centres, seniors housing, sewerage systems, tourist and visitor accommodation, water supply systems

The site is identified as impacted with various Flood Precincts.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the whether the development—

(a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and

(b) incorporates appropriate measures to manage risk to life in the event of a flood, and

(c) will adversely affect the environment in the event of a flood.

The Mingara Site is classed as a High Flood Island by the Tuggerah Lakes Floodplain Risk Management Study and Plan 2018. The entire site would be cut off during a PMF event. It is reasonable to assume that a significant proportion of occupants may require frequent medical attention and regular access to hospital. Ambulance access to the Mingara precinct will be cut off during the 20% AEP, 5% AEP and 1%AEP events.

Due to its lack of safe evacuation the seniors living development at this location would not be consistent with the recommendations of the Floodplain Risk Management Toolkit 2023. The development would fail to satisfy CCLEP cl. 5.22

The site is located between the flood planning area and the PMF in the pre-development scenario but is above the PMF in the post-development scenario.

Clause 3(a-c) are addressed in this report:

(3) (a): Section 6 of the FEMP details safe occupation in the event of a flood. A shelter in place strategy is identified as most suitable given the flash flood characteristics of the site.

(3) (b): In consultation with Council the primary constraint to a shelter in place strategy was secondary medical emergencies occurring during the time of isolation. Medical emergency management protocol is detailed in Section 5.6 of the FEMP and as such shelter in place is an appropriate solution.

(3) (c): The FEMP finds that the development will not have any adverse flooding impacts to surrounding environment.

Special Flood Considerations due to its lack of safe evacuation for vulnerable occupants. Refer to Floodplain Development comments below for further information

2.13 Transport and Parking

The proposal includes a significant amount of stacked parking. The stacked parking in front of the villa garages is impractical as it blocks access to the garages. Some of the stacked parking shows 3 car spaces in front of 2 garages. Even if the parking is only used by the residents of the villas with garages, 2 cars would need to move for 1 car to access the garage (refer to Figure 1).

Some of the car parking spaces have trees located in the centre, garden beds partially located in car parking spaces, some car spaces have no driveway access or will conflict with other parked cars when manoeuvring into the parking space (Figures 2-4).

The seniors living development is proposed to be located within the grassed parking area for the athletics track. The Traffic Report states that there is sufficient existing parking on the site, however, there is only the 2 spaces that are located near the track. The loss of parking should be accommodated within a convenient location near the track which provides safe access for families (close to and not crossing main access roads to Mingara). It is noted that the athletics track currently has approval for 1000 people. The aerial photograph in Figure 5 shows the extent of the grass area currently used for parking during events at the athletics track. Figure 6 shows the proposed walking routes from the proposed parking areas for the track if the seniors living development is constructed.

These parking areas are not considered to be safely and conveniently located for athletics track parking. Refer to Traffic and Transport comments for further information.

Tree and Vegetation management

It is noted that a BDAR and Vegetation Management Plan (VMP) has been submitted with the SSD application and are on exhibition.

There is not sufficient time for Council to undertake a detailed technical review of the BDAR. It would be expected that DEECCW would provide any BDAR review comments to DPHI. However, any approval should include conditions that the

Stacked Parking

The maximum number of cars to be stacked in the villa units is two (2) vehicles, which is consistent with off-street parking for private dwellings. The shared zone (which was mistakenly identified as a third car space) has been removed. Access consultant confirmed these two car spaces can be standard car spaces without the need to provide a shared zone.

Parking and Landscape Conflict

The proposed development has been amended to remove all trees which were located in the centre of parking bays whilst maximising canopy cover.

On-site car parking

The current provision of car parking that is often located on the existing site can be readily accommodated across the broader MRC precinct. Figure 2 demonstrates the spatial distribution of car parking both all weather and overflow. This also demonstrates the pedestrian connections and estimated walking time to access these car parking areas. A new accessible pathway is proposed which will be appropriately lit and also located in a suitable area that will assist in facilitating natural surveillance from the club. 5 new accessible car spaces and improved turning bay and drop off area are proposed adjacent to the athletics club entry. A ETMP has been prepared and will be implemented for athletics operations.

Noted.

mitigation measures in the BDAR and the requirements of the VMP are implemented by the proponent.

The current VMP states implementation is voluntary, and that the performance measures are not a “conditional compliance requirement” (section 5).

Implementation of the VMP is a biodiversity mitigation and management measure for the direct and indirect impacts of the development, and as such implementation should form part of any conditions of approval. Council would also request that copies of VMP certification reports should also be forwarded to the consent authority and Council's Ecologist when they fall due, the current VMP only requires reporting to MLG. Refer to Ecology comments for further information.

Street Design Guideline

Council's Street Design Guidelines are required to be implemented within the overall design of the proposed development. Details of the guidelines can be accessed

Councils Street Design Guidelines do not apply to private internal roads. The proposed roads have been designed in accordance with Australian Standard AS2890.

Ecology

As identified in the riparian restoration area plan provided, a Vegetation Management Plan (VMP) should be prepared for the drainage corridor. Council's Flora and Fauna Guidelines 2019, provide some information on VMP requirements. The VMP should also integrate with NSW DPE Water requirements. Being an SSD, the department will review the VMP with comment usually provided by Council. Items the VMP should address include:

- The VMP area needs to be clearly defined and should encompass most of the drainage corridor adjacent the precinct.
- Identify vegetation management zones, APZs, weed density/other management issues which need to be addressed.
- Management actions detailed using the 'SMART' goals approach (Specific, Measurable, Achievable, Reasonable and Time bound).
- Management actions should be staged across a minimum three phases including pre-development, development and post development (ongoing, for a minimum five years).
- Identify weed species in the VMP area and provide appropriate control techniques.

Noted. This document will be conditioned as part of the Instrument of Consent. The BDAR recommends the preparation of a VMP.

• Provide a plant schedule and identify nurseries that could be engaged to supply local provenance plants. • Provide best practise methodology on planting technique and required maintenance of plantings. • Consider providing interpretive educational signage at strategic areas along the footpath on wetland ecology and biodiversity. • Note, copies of VMP certification reports should be forwarded to the consent authority and Council's Ecologist when they fall due.	
URBAN DESIGN Masterplan Council previously advised in the pre-lodgement meeting with the applicant that a masterplan for the site should be prepared given the size, scale and density proposed in the seniors living development especially given there is no public road access. No masterplan has been prepared.	The SSDA is not seeking a concept approval but a detailed DA for a seniors living proposal. Any indicative master planning of potential future works relating to the Club is not funded or certain. Current or proposed projects such as the hotel and proposed early learning centre have been considered in the cumulative impact of the proposal.
Residential Amenity • The proposed communal spaces are confined to the Building 2. The lobby and café/servery area in Building 2 is only sufficient for the Aged Care beds section of the development. Given the number of dwellings, the communal facilities are considered to be insufficient for the scale of the development and does not provide reasonable access to the facilities for all residents.	The primary communal open space is located in Building 2, while secondary communal spaces are strategically distributed throughout the site, offering residents different areas to enjoy at various times. These spaces include the area between Villas 4 and 5, which provides access to the naturally revegetated ponds and walking track, as well as putt-putt golf in front of Building 1, and Communal gardens and viewing spaces with shelter and seating in Building 4. While there are no specific area requirements for community facilities under any other planning instrument, the space provided in Building 2 is more than adequate to accommodate all residents of the retirement village.
The EIS states that while the proposed seniors living is located in close proximity to the Mingara Recreation Club, the seniors living is not a part of Mingara Recreation Club and will be under separate ownership and operate independently. Given this, the proposed development cannot rely upon Mingara Recreation Club for the provision of communal resident facilities.	Mingara Leisure Group (MLG) (as the owners of MRC and co-owners of the development proposal) along with Pariter, share an agreement with the club that stipulates what access residents could have as part of the joint membership offer. The Mingara Club offers a range of facilities—including a large swimming pool and wellness amenities—that complement, rather than duplicate, those provided within the development. The proposal includes sufficient indoor and outdoor communal areas to meet the needs of residents while still encouraging engagement with broader community amenities.

	As outlined above, and shown within the Architectural Plans, there is sufficient amenity provided within the proposed development to reduce reliance on the amenity provided within the Mingara Recreation Club.
Communal open space needs to be provided for each residential flat building.	There are a range of communal open spaces provided throughout the site which are accessible and shared between each residential flat building. These spaces include the area between Villas 4 and 5, which provides access to the naturally revegetated ponds and walking track, as well as putt-putt golf in front of Building 1, and Communal gardens and viewing spaces with shelter and seating in Building 4
Study nooks that are enclosed with walls and doors will not comply with BCA requirements for light and ventilation e.g. unit B1.501	In the case of Unit B1.501 and other enclosed study spaces, the study provided is located adjacent to living spaces and, where necessary, incorporate louvred or openable partitions to allow for borrowed light and ventilation. This approach is consistent with the provisions of the National Construction Code (NCC) F6D4, which permits the use of borrowed light and ventilation from adjoining habitable rooms, provided compliance with performance requirements is achieved.
There is no commercial kitchen on any of the levels of the Aged Care beds, so meal preparation will need to occur on ground level.	The ground floor of Building 2 includes a fully equipped commercial kitchen designed to cater to all meal preparation needs for residents in the HCS. Meals will be prepared centrally on this level and distributed to the HCS as required. In addition, there is a resident kitchen on each level of the HCS, allowing residents the option to prepare their own meals if they wish. This dual approach aligns with best practice in contemporary residential aged care design, supporting resident independence, dignity, and choice while ensuring that comprehensive catering services are also available.
Section 92 of SEPP (Housing) 2021 requires the consent authority to be satisfied that the development includes appropriate measures to separate the club from residential areas to avoid land use conflicts prior to granting consent. Insufficient information has been provided to assess the acoustic impacts and light spill from the registered club and the athletics track. In particular the athletics track is in close proximity to the seniors living development and likely to have light spill from flood lights and acoustic impacts from the use of PA systems and amplified music for events.	Refer to the response provided in Section 2.4.2 regarding noise intrusion and light spill impacts from the athletics track.

Urban Design and Architecture

There is an overwhelming visual dominance of car parking at ground level across the whole development.

The visual impact of ground-level car parking has been carefully addressed through amendments to the landscape and architectural design, as reflected in the update Landscape Plans at **Appendix E**. These changes aim to significantly reduce the visual dominance of car parking across the site.

The car park is now surrounded by enhanced landscaping treatments, including raised berms positioned above natural ground level to screen parked vehicles from key view lines. Climbing plants have been introduced to soften the appearance of the façade, contributing to a more integrated and natural aesthetic. In addition, vertical louvres are strategically placed in areas adjacent to communal open space and the main arrival entry, providing further screening and helping to create a more cohesive transition between the built form and the surrounding landscape.

These design measures ensure that the ground-level car parking is visually recessive, supports a high-quality public realm, and aligns with broader urban design and amenity objectives.

The villas all have garages facing the internal laneway. Garages make up the majority of the ground floor elevations, with very few living areas providing a visual connection and passive surveillance to the laneway. Driveway areas are occupied by external car parking, which makes the internal streetscape appear like an extensive car park.

The following architectural and design inclusions and/or updates, confirmed by the Project Architect (in **Appendix C**), will address the comments (including from a social impact and CPTED perspective):

- Arbors have been provided, in selected areas, to break up the visual dominance/repetition of garages along the internal street. Further landscaping screening and louvre treatment address the visual impact of the garage from the street level. It includes the use of climbing vines on the car park screen and the introduction of a berm within the setback and Communal Open Space area which provide additional visual mitigation.

The architecture of the villa units is very poor. The villa unit buildings have 4 garages at ground level topped with box-like prisms at the upper level punctuated by windows or door openings. The villa units look like small industrial units with garages protruding in the front. There has been little attempt to use any traditional residential architectural features or materials to provide a more home-like or human scale to the villa unit buildings.

The ground level design of the villas has been improved with the addition of arbor-structures in selected locations assist in breaking up the visual dominance/repetition of garages. This helps in creating an articulation to the streetscape and an improvement of the interface to the internal road. The design of the villa apartments takes cues from two storey residential design as described in the updated Architectural Design Report and Design response letter at **Appendix C**.



The villa apartments comprise 4 independent living units per 2-storey built form. These are articulated with deep breaks and projected balconies and frames to create a low-rise domestic environment whilst still providing generous private outdoor spaces to upper-level units. The palette of materials is described in the Architectural Design Report with the use of masonry and natural materials to create a clear link with the apartment living buildings providing a coherent character for the whole development. The roof design is articulated by implementing roof falls in different directions (as noted in the image overpage) and which also project in/out differently. This creates variation in multiple planes and viewing angles., adding visual interest and variation to the façade (refer to the below image). Overall, the design of the villas aims to provide a different housing product that can align in scale and look and feel to low density housing but still provide coherence with the rest of the built form through the choice of materials.



There is ground level car parking in the residential flat buildings, which does not contribute to the streetscape or provide any active frontages or visually appealing building elements at pedestrian level.

The design has been amended to incorporate landscaping and screening devices to address the ground-level car parking. Screening elements and strategic planting have been added to soften the visual impact and improve the pedestrian experience. Additionally, well located pedestrian links enhance connectivity throughout the development.

The ground level parking of the RFBs and the shared facilities of Building 2 extend beyond the residential building footprints of level 1. There are large areas of flat roof decking that will be visible to the units above and will reflect a lot of light and heat. This is a poor design outcome in terms of visual impacts to residents as well as unsustainable climate impacts. These roof areas could be landscaped and made trafficable to accommodate common open space and reduce the effects of heat and light.

The roof overhang above the ground plane of Building 2 has been redesigned to include communal open space. This results in the outdoor landscaped areas for residents increasing from 302sqm to 827sqm for the HCS residents. Refer to the updated Landscape Plans prepared by Taylor Brammer at **Appendix E**.

The design resolution of the ground floor facade of Building 2 is poor. Pedestrian entries to buildings are not articulated. Glass curtain walls are proposed to common areas facing west, which will lead to unacceptable heat loads in warmer seasons.

The building entry is clearly articulated through the use of an awning that not only defines the entry point for pedestrians but also provides weather protection and enhances legibility from the adjacent drop-off area. Louvre screening has been integrated to maximise natural daylight into internal spaces while maintaining privacy from high-traffic external areas. These elements contribute to a more comfortable and visually coherent interface at ground level. The below figure shows the Porte Cochere drop off area at the Building 2 entrance.



To address concerns regarding heat gain from the west-facing curtain wall, an extended awning has been documented in the SSD submission which provided shading to the western glazing. This design response has been reviewed and supported by the ESD consultant to ensure it meets thermal comfort and compliance requirements. In addition to the environmental function of the curtain walls, they serve a deliberate architectural purpose to frame the views of the communal garden. This visually connects the building to the surrounding landscape and enhances the experiences of communal spaces within the building. The below image shows the view from the internal communal spaces.



The facades on upper levels of the parts of the building containing the aged care beds could be better resolved. There is a lack of connection with the ground level podium. The grey walls are punctuated by windows but little else has been done to provide an aesthetically pleasing design.

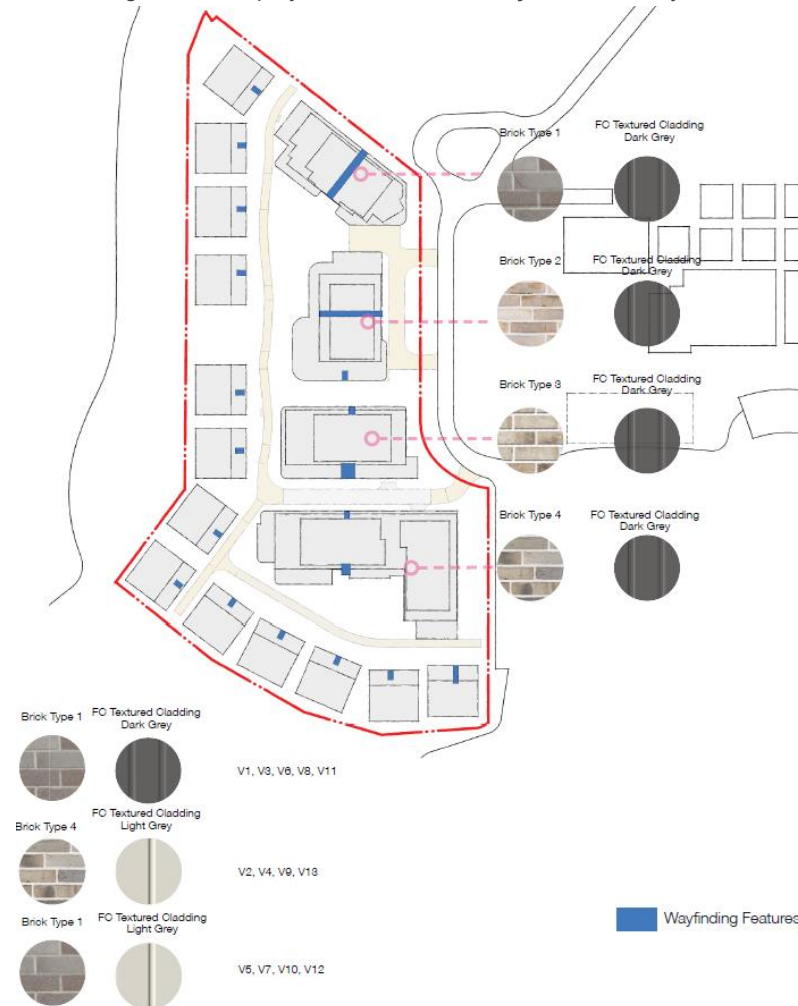
The architectural intent for the HCS within Building 2 has been designed to ensure visual and functional integration with the surrounding ILUs, rather than treating the aged care component as a standalone or institutional element. This approach fosters a cohesive residential environment and supports a sense of community, avoiding the visual and social segregation often associated with aged care facilities.

The façade of Building 2 has been deliberately designed to mirror the pattern of brick and glazing grids established in Buildings 1, 3, and 4, thereby maintaining consistency across the development. This articulation helps tie the upper levels to the overall architectural language and reinforces the building's residential character. In response to design feedback, the façade treatment and material palette have been revised to improve the visual connection between the upper levels and the ground-level podium. These updates, illustrated in the amended elevations, reduce the prominence of grey wall surfaces by incorporating warmer tones and varied materials, enhancing visual interest and softening the overall appearance.

The overall design approach to each of the four buildings is the same. There is little differentiation in the facades and the main architectural feature seems to be the lift core and overrun. Pedestrian entries are not well articulated in the building form. Way finding will be difficult considering each building looks so similar.

The updated elevations within the architectural plans display the variation in the colour of the brickwork across each building is a carefully considered design strategy that helps to identify each building and to aid wayfinding. The updated Architectural Design Report references wayfinding by articulating the building entries with glazed

brick material. The glazing reflects the nearby water bodies and symbolically echoes the familiar ridgelines of the surrounding landscape. This design choice helps residents develop a sense of belonging and connection to their home. Refer to the below image which displays the variations in façade materiality.



There seems to be little attempt to address the different orientations of each building with no shading screens provided to the east and west, and no visible

Vertical louvres have been introduced on the revised elevations along the western and northern facades to provide additional solar shading and reduce heat gain during

difference between the north and south. This approach is similar to the hotel where each elevation is the same, and no acknowledgement of climate is evident.	warmer periods. To further support usability and thermal comfort, shading awnings have been added to the extended private open space areas of the penthouses. The awnings ensure that these upper-level outdoor areas remain shaded and usable throughout the day, especially during peak sun exposure on western-facing terraces.
Building 4 in particular is of concern as it is approximately 77m long and will be an imposing building form on the site. The façade treatment does little to break up the visual bulk and scale of the building. There is little provision for landscaping to soften the appearance, especially at ground level where the car parking areas provide no activation to the internal ‘streets’.	Building 4 northern façade has been amended to provide a break in the façade by adding planter boxes to the cross over units. The landscaping has been strategically integrated into the design to further soften the building’s appearance.
Solar Access The Central Coast region has a requirement of 70% of apartments in RFBs to receive a minimum of 3 hours solar access to living areas and private open space in mid-winter (not 2 hours). A minimum of 70% of apartments will not achieve a minimum of 3 hours solar access due to the orientation of the buildings and as the buildings overshadow themselves. The taller the building the greater the effects of overshadowing of communal open spaces and the greater the separation distances between buildings that are required.	Section 108(2)(g) of the Housing SEPP states: <i>108 Non-discretionary development standards for independent living units—the Act, s 4.15</i> <i>(2) The following are non-discretionary development standards in relation to development for the purposes of independent living units—</i> <i>(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces,</i> The proposed development achieves 2-hours of direct solar access to 70% of the independent living units.
The solar access diagrams and calculations are incorrect as they include the villa units. The villa units do not qualify to be a residential apartment development as defined under the SEPP Housing and can not be used in the solar access calculation for the RFBs	The villas have been removed from the solar access calculations. Notwithstanding, the proposed development still achieves the requirement for 2-hours of solar access for 70% of dwellings. Some unit layouts in Building 1 have been redesigned to have living areas oriented to achieve solar compliance.
Cross Ventilation • Similar to solar access, cross-ventilation diagrams and calculations are incorrect as they include the villa units. The villa units do not qualify to be a residential apartment development as defined under the SEPP Housing and can not be used in the cross ventilation calculation for the RFBs. • The unit in the corner of building 4 has been incorrectly calculated as having cross-ventilation even though it is a single aspect unit	Villas have been excluded in the cross-ventilation calculation. Buildings 1 and 3 have been redesigned to incorporate building indentations in accordance with the ADG provisions for cross-ventilation. Refer to the revised unit layouts for Unit Types 304 and 305. The proposed development achieves natural cross ventilation for 68% of apartments, exceeding the 60% requirement.

Inconsistent/Insufficient Information The number of staff for the Residential Care Facility is inconsistent between the application documentation, which states in some documentation that the number of staff will be 10, 12 or 15.	The total number of staff for the entire retirement village is 15. However, the number of staff on duty at the same time is 10.
No detailed floorplan for Building 3, Level 5.	A description error on drawing DA2.72 has been updated to clearly detail which plan refers to Building 3 and Building 5.
The EIS indicates Stage 1 includes Buildings 1-3 and Villas 1-6 as wells as the drainage and earthworks in the southern and western portions of the site and the landscaping and road works within the north-eastern corner of the site and the pathways connecting to the hotel. However, the Architectural Plans only show Buildings 1-3 and Villas 1-6 in Stage 1, while the remainder of the works are not shown to be in any stage.	The Architectural Plans have been updated to include a Staging Plan (DA1.42) for all works proposed include public domain works. Stage 1 includes the public domain works, Buildings 1-3, Villa 1-6, whilst Stage 2 includes Building 4, and Villas 7-13. Whilst the staging plan provided in the SSDA is the general sequencing of the development, as stated in Section 3.3 flexibility is sought around the construction staging, for example, stages may also be undertaken concurrently, i.e. the next stage may commence where the previous stage is still being completed.
There are inconsistencies in the location of front doors and gates between the landscape plans and architectural plans.	The Architectural Plans have now been updated to reflect consistencies of front door and gates both in the architectural and landscape drawings.
TRAFFIC AND TRANSPORT Vehicle Access There is no provision for vehicle turning within the site. The proposed driveway layout is not even sufficient for a holiday park layout or manufactured home estate. Residential flat development requires vehicle access to each and every building for waste removal, emergency services, fire trucks and car parking. Suitable turning heads at the dead ends are required for waste, ambulances, fire and removalist trucks. There is currently not even a sufficient turning head for cars to turn around.	The updated architectural plans have provided sufficient turning areas for ambulances, which are expected to be the largest vehicle entering the site. The updated Transport and Accessibility Impact Assessment (TAIA) at Appendix F provides swept path analysis for the ambulance and private bus service vehicles. The swept path analysis confirms that there is sufficient turning radius for ambulance and private bus vehicles within the site.
The site does not have any vehicle access by formal roads. The proposed density is extreme for a site without any roads. The existing access roads through Mingara Recreation Club become congested during peak periods and have poor traffic flow through the site.	The proposed development is a low traffic generating development as outlined in Section 9.2 of the updated TAIA. The SIDRA modelling conducted for the TAIA demonstrates that the additional traffic has a negligible impact on the surrounding road network.
Parking The proposal includes a significant amount of stacked parking. The stacked parking in front of the villa garages is impractical as it blocks access to the	Refer to the response in Section 2.4.2 above.

garages. Some of the stacked parking shows 3 car spaces in front of 2 garages. Even if the parking is only used by the residents of the villas with garages, 2 cars would need to move for 1 car to access the garage – see Figure 1.	
Some of the car parking spaces have trees located in the centre, garden beds partially located in car parking spaces, some car spaces have no driveway access or will conflict with other parked cars when manoeuvring into the parking space (Figures 2-4).	Refer to the response in Section 2.4.2 above.
It is not clear from the documentation how many staff will be on duty in the development. There are conflicting numbers between the submitted documentation, varying from 10-15 in the RACF. For 3 levels of aged care beds and 1 level of aged care facilities including a kitchen, the likely number of employees is at least 15. Therefore, a minimum of 8 staff car parking spaces are required and only 5 have been provided.	Refer to the response in Section 2.4.2 above.
The seniors living development is proposed to be located within the grassed parking area for the athletics track. The Traffic Report states that there is sufficient existing parking on the site, however, there is only the 2 spaces that are located near the track. The loss of parking should be accommodated within a convenient location near the track which provides safe access for families (close to and not crossing main access roads to Mingara). It is noted that the athletics track currently has approval for 1000 people. The aerial photograph in Figure 5 shows the extent of the grass area currently used for parking during events at the athletics track. Figure 6 shows the proposed walking routes from the proposed parking areas for the track if the seniors living development is constructed. These parking areas are not considered to be safely and conveniently located for athletics track parking.	Refer to the response in Section 2.4.2 above. Further, an updated Event Traffic Management Plan has been prepared for the site. The ETMP details the following: - There is sufficient capacity within existing car parking areas on site to accommodate the athletics track parking. - In accordance with the athletics track DA, known as DA/420/98, the 150 parking spaces are provided within car parking areas on site, with a further 150 overflow car parking spaces provided to the north of the legend's carpark. In response to the availability of the athletics track parking, the proposed development has been amended to include a range of public domain works which provide safe access to the athletics track. This includes a new walking path from the legend's carpark, new zebra crossings from the club carpark across the internal road towards the athletics track, and various upgrades to existing pedestrian paths.
The development consent for the athletics track required the provision of set-down areas and buses. The proposed reconfigured access to the athletics track and two parking spaces are not sufficient for set-down areas and a bus area for the athletics track.	Updated swept paths are within <i>Appendix D</i> of the Traffic TAIA (Appendix F). The proposed coach/bus drop-off/pick-up area been designed in accordance with Austroads and AS2890.2 (2018) with the following noteworthy: - The turning area is sufficient to allow a 14.5m long coach/bus to complete a turning manoeuvre. - Two (2) x 14.5m long coaches/buses can park nose to tail within the roadway

There are no disabled parking spaces provided for the athletics track. The provision of disabled spaces located within a safe location close to the front entry is required.	The proposed development has been updated to include the provision of five (5) disabled parking spaces at the entrance to the athletics track.
There is no provision for caravan parking, boat parking or visitor parking.	No caravan, boat or visitor car parking is required by the Housing SEPP.
A number of the villa garages include circulation space to multiple doors. Given the size of the garages there is not sufficient space to park a car and allow for access to the doors.	The villa garages are all designed in accordance with the Housing SEPP with a minimum width of 3.2m, which provide sufficient space for a parked car, while maintaining access to the doors.
WATER AND SEWER Water and sewer services are available to the land, but based on initial investigations there is insufficient water and sewer reticulated main capacity to adequately service this pre development proposal. As such this proposal is not currently supported by Water and Sewer until it can be demonstrated that the proposal can be adequately serviced with Water and Sewer. A water and sewer servicing plan is to be prepared and provided including point of connection to Council mains, location of conduits between Council mains and the proposed consolidated lot, easements for services. Once received, further feedback can be provided Note: • A Torrens title subdivision is proposed, each unique lot is to be separately connected to Council water and sewer services. • Connection off other private services in the vicinity is not permitted. • Pressure tests were previously obtained by Triaxial in 2022 for Mingara Fire fighting requirements and could assist site investigation. • The WM's in Thornbill Grove are within a different supply zone to Mingara Drive. • Water supply pressure statement(s) can be applied for on: https://www.centralcoast.nsw.gov.au/council/forms-and-publications/form/water-pressurestatement-application • Ensure that the proposal will not impact the fire fighting compliance of nearby developments like Mingara and Glengara Village. • The recently constructed Hotel connected to the 225mm main on the southern boundary with 25.8ET loading.	A Water and Sewer servicing plan has been prepared at Appendix S. The Water and Servicing plan shows the point of connecting to Council mains, the location of conduits between Council mains and the development lot, as well as easements to services and is prepared aligning to discussions with Council in February and March 2025. The Water and Sewer Servicing Plan confirms that the proposed development can be adequately service by existing water and sewer infrastructure. <i>Refer also to the response to DPHI comments on water and sewer.</i>

Once the proposal is demonstrated it can be adequately serviced with water and sewer, Water Authority requirements will apply of a Section 305 application being required to obtain a Section 307 Certificate of compliance. The resulting Section 306 letter of requirements will contain Water Authority conditions.

CRIME AND SAFETY

Proposals must be designed having regard to strategies relating to surveillance, access control, territorial reinforcement, and space management, identified within *Crime Prevention through Environmental Design* (CPTED).

CPTED refers to the principles specified under the *Crime Prevention and the Assessment of Development Applications* published by Department of Urban Affairs and Planning Guidelines for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979* as amended. Under this section, all councils are required to consider and implement CPTED principles when assessing Development Applications. In addition, the proposed seniors housing development must meet the design principles in schedule 8 of *State Environmental Planning Policy (Housing) 2021* for crime prevention Councils concerns associated with the proposal and in response to the above-mentioned legislation is provided below:

The proposed seniors housing development does not satisfactorily meet the design principle in schedule 8 of *State Environmental Planning Policy (Housing) 2021* for crime prevention.

Noted.

The villas do not provide visual surveillance as they are not designed to allow residents to see who approaches their dwellings without the need to open the front door in accordance with design principle 5(c)(iii).

The architectural design of the villas has been updated to incorporate an additional window in the bedroom of each villa to facilitate natural surveillance. As confirmed by the Project Architect, for villa above ground level, a central lobby with intercom access is provided to offer a secure point of entry. This mitigation measures addresses the comments (including from a CPTED perspective)

Wayfinding through the site is poor. In particular it is noted that most of the villas do not have front doors which provide a clear entry for visitors and emergency services.

Addition measures have been incorporated to enhance, promote and differentiate building entries, including addition of arbors to delineate villa entries and facilitate wayfinding.

The following architectural, landscaping and design inclusions and/or updates, confirmed by the Project Architect, will address the comments (including CPTED perspective):

	▪ Ground level villas are designed to resemble traditional housing, each with its own identifiable front gate and entry door accessible from within the site. ▪ Wayfinding is further enhanced through the integration of natural and architectural elements, as detailed in Design Report page 40. Water features and the use of glazed brick are strategically located at key building entries to assist with orientation and provide distinct visual markers. ▪ Vertical louvre have been incorporated not only for shading and weather protection but also to echo the local landscape, creating familiar reference points and contributing to a coherent and intuitive wayfinding strategy across the precinct.
There is no continuous pedestrian footpath through the site to key locations (e.g. waste pads, communal open space, connection to the villas, the footpath around the development and along the drainage area). Residents will generally need to walk on the driveways to get across the site.	The following architectural and design inclusions and/or updates, confirmed by the Project Architect, will address the comments (including CPTED perspective): ▪ The road has been designed as a shared space with low traffic volume, prioritising pedestrian safety and accessibility. The Traffic Impact Assessment highlights that the low traffic volumes and reduced speed limits within the development ensure a safe shared road environment for both vehicles and pedestrians. Although a continuous footpath is not present throughout the entire site, the pedestrian-friendly shared road provides access to key areas. The footpath connects to this shared road, facilitating safe and easy movement for residents to reach destinations such as waste pads, communal open spaces, villas, and the surrounding footpath. This approach balances the needs of both vehicles and pedestrians, fostering a safer, more integrated community environment. ▪ The landscape design includes a path network that focuses on linking residential dwellings to the key communal spaces, including to Building 2 internal and external amenities.
There is no existing road access to the site. Currently it is only accessible via the internal driveways of Mingara. This is an issue because emergency service vehicles will need to slow down to 10km/hr to get to the site, and then they will have to navigate narrow driveways to try and get to the emergency.	Ambulances are not subject to public road speed limits or private road speed limits. The proposal is consistent with neighbouring residential developments which have private roads subject to lower speed limits (10-15km/h) for pedestrian amenity and safety.
There is no differentiation in the architectural treatment of buildings across the site which will make wayfinding difficult in times of emergency.	To address wayfinding concerns, signage will be strategically place throughout the site to guide residents and visitors, especially in emergency situations. Additionally, each building features a variation in brick colour, providing a clear visual

	differentiation between the buildings. These design elements ensure that buildings are easily identifiable, enhancing both navigation and safety across the development.
There is no egress from the site in times of flood. This is of particular concern for elderly residents with limited mobility and those confined to the aged care beds.	Refer to previous response in Section 4.2. A meeting was also held between the applicant and Central Coast Council on 21 May 2025, in which Council confirmed their support for the proposed shelter in place arrangement given the extent of medical emergencies capable of being dealt with on-site.
The development should have regard for Fire and Rescue NSW Fire Safety Guideline and be designed to cater for a specialist fire appliance as the development includes buildings which are over 9m high.	The development has been designed in accordance with the relevant fire requirements and reference is made to reports prepared by others with respect to fire safety. No comments or recommendations have been requested by NSW Fire and Rescue as detailed in their feedback provided during exhibition.
The development has not been adequately designed to provide for: ▪ A minimum 6m wide carriageway width is required for a specialist fire appliance. ▪ As the development includes dead end carriageways which extend more than 120m a suitable turning head designed for a specialist fire appliance is required at each dead end so that the specialist fire appliance does not need to reverse out. ▪ A minimum 6m wide access around the buildings for a specialist fire appliance to set up the fire truck in a clear space close to the part of the building that is on fire as shown in Figure 9. ▪ Passing bays are required to allow traffic flow around a fire appliance and for vehicles to pull over to allow a fire appliance to pass.	As above.
As part of the site is bushfire prone, the provisions of <i>Planning for Bushfire Protection 2019</i> apply. It is noted that the development does not provide adequate access and passing bays in accordance with <i>Planning for Bushfire Protection 2019</i> .	The updated architectural plans have provided sufficient turning areas for ambulances, which are expected to be the largest vehicle entering the site. The updated Transport and Accessibility Impact Assessment (TAIA) at Appendix F provides swept path analysis for the ambulance and private bus service vehicles. The swept path analysis confirms that there is sufficient turning radius for ambulance and private bus vehicles within the site.
Access should be provided which allows for an ambulance and sufficient area for ambulances to park in an emergency. It is unrealistic for an ambulance to park in the ambulance bay if the patient is in the other buildings or in one of the villas as it increases response time and the distance a patient will need to be transported	As above.

through the site to get to the ambulance. The ambulance bay is also not easily located and is difficult to quickly manoeuvre into.

FLOODPLAIN DEVELOPMENT

The proposed development is for a Seniors Living development within the Mingara Precinct. The site is bound by Mingara Athletics Centre along the north, Mingara Club and Mingara Parking Lots to the east.

The applicant has engaged Stantec to prepare a Flood Impact Assessment (FIA) and Flood Emergency Management Plan (FEMP) in support of the development.

The proposed development comprises subdivision of land the construction and operation of a seniors housing development. The proposal includes thirteen villa buildings, three multi-storey independent living unit (ILU) buildings and one mixed high care and ILU building housing communal facilities together with car parking, open space and associated works including site preparation works and landscaping.

The proposed seniors living development is a sensitive use development which is populated by vulnerable people. If this were a Development Application, the applicant would be required to demonstrate that the development satisfies CCLEP cl. 5.21 Flood Planning and CCLEP cl. 5.21 Special Flood Considerations. The applicant is also required to demonstrate that the development is consistent with the principles of the Floodplain Risk Management Manual 2023 and Floodplain Risk Management Toolkit 2023.

Flood Impact Assessment (FIA)

The applicant is required to demonstrate that the development would result in a negligible flood impact.

The applicant has used the existing model for the Tuggerah Lakes Southern Catchments Flood Study as a base case for the Flood Impact Assessment.

The 1%AEP flood event partially impacts the development site. Depths range from 10-100mm at the southwestern boundary of the development site to 5mm at the eastern boundary of the development site. Flow velocities through the site typically do not exceed 0.1m/s and the flood hazard is classified as HI in the 1%AEP event, which is safe for the elderly.

Refer to previous response in Section 2.4.2. A meeting was also held between the applicant and Central Coast Council on 21 May 2025, in which Council confirmed their support for the proposed shelter in place arrangement given the extent of medical emergencies capable of being dealt with on-site. Refer to the updated FEMP and FIA

Noted. Refer to the updated FIA. This concludes that in the post development scenario the site is raised above the PMF, resulting in localised flood level differences across the site during the 1% AEP.

For the PMF, the raising of the site results in flood impact to off-site properties in exceedance of 10mm. The flood level differences are below 100mm and generally in the range of 60 to 70mm. The proposal does not result in any newly flooded areas, and impacted properties are already subject to flooding in the pre-development scenario. The flood level increases to neighbouring properties or roads do not result in an increase of the maximum flood hazard category experienced by the property and are therefore considered to be acceptable.

The entire development site is located within the PMF flood extent. Flood depths vary through the development site, with a main overland flow path observed running south-west to east through the site.

A flood hazard of H1-H3 is observed through the development site, with only a minor portion at the south-western boundary being classified as a H3 hazard.

To eliminate flood impacts a result of the development, additional flood storage has been provided to the south of the development site. There is a minor depression in the surface in the existing site which acts as a swale to direct flows around the development site. The applicant proposes to lower the existing levels by approximately 600mm to create additional storage volume and eliminate impact to downstream properties.

There is a negligible flood impact during the 1%AEP event. This can be attributed to the additional flood storage to the south and east of the development site. Minor localised increases in flood level are observed to the south-east of the development site within the Mingara Club site of approximately 10- 20mm. The development site itself is flood free during the 1%AEP flood event in the post development scenario.

The development site is flood free during the PMF event, which is a result of the increased flood storage to the south of the development. There is an increase of approximately 40mm generally observed immediately to the south and west of the development site in the PMF event. The existing constructed wetland to the north has an increase in flood levels of 25-30mm and a minor portion of Caralee Place, Thornbill Grove and Sandpiper Way also have an increase in flood levels of 20mm. There does not appear to be any change in Hydrological Flood Categorisation in these properties during the PMF event.

These properties were H1 in the existing scenario and remain H1 in the post development scenario.

The swale to the south of the site has an increase in flood hazard in the post development scenario as it has been made deeper to increase flood storage. It is accepted that this is not trafficable by pedestrians.

In accordance with Council DCP requirements, the finished floor levels for all buildings are set to PMF level or higher. The flood level differences are presented in Appendix B of the FIA and demonstrate that the proposed retirement living development will not significantly impact adjacent properties. A FEMP for the development is also included in the RTS.

Central Coast Council Flood Engineer Conclusion and Recommendation

The Flood impact and risk assessment: Flood risk management guideline LU01 specifies that for developments with a life exceeding 20 years, the implications of climate change on both the existing and post-development case should be assessed,

The Flood Impact Assessment has demonstrated that the 1%AEP and PMF Flood Impacts from the site are acceptable.

As the development site is flood free during the PMF event, the floor levels are acceptable.

The applicant has not considered a climate change flood impact scenario. It is recommended that the applicant undertake a Climate Change Flood Impact Assessment consistent with NSW Flood Impact and Risk Assessment LU01

Flood Emergency Management Plan (FEMP) - Evacuation from the Site

The Flood Emergency Management Plan (FEMP) details the duration of inundation at certain locations during the Flood Event.

The Wyong Road Site Entrance into the site is classified as a H5-H6 hazard in the PMF flood event. It is assumed that the road crossing over the channel is 110mm during the PMF event. The road as it extends into the site is largely classified as a H3 Hazard. As per Table 3 of the FEMP, the Wyong Road Site Entrance will not be trafficable for a 1 hour period between minute 40 and minute 100.

Wyong Road itself is inundated in the PMF event between the intersection of Beckingham Road and Wyong Road and the intersection of Peach Ave and Wyong Road. High Hazards of up to H5-H6 are observed in the PMF event. As per Table 4, Wyong Road west of the proposed development up to Beckingham Road and Wyong Road will be cut off by H5 floodwaters for 80 minutes between minute 10 and minute 90. As per Table 5, Wyong Road east of the proposed development site up to Peach Ave will be cutoff by H4/H5/H3 floodwater for an extended period between minute 20 and minute 295.

The Mingara Drive Entrance into the site largely classified as a high hazard zone with a H4-H5 classification due to its proximity to the Tumby Umbi Creek. It is not considered by Stantec to be a suitable access point to the site given the extended duration of high hazard flows observed along Mingara Drive in the PMF event.

Stantec proposes that the most appropriate evacuation procedure is vertical evacuation or shelter in place. The Mingara Club is located immediately south of the proposed development site and is located outside of the PMF flood extent. The Mingara Club is currently used as a refuge shelter and protocols are in place to ensure occupants of the site are moved to the Club in the event of flooding. It is classified as a High Flood Island in the Tuggerah Lakes Southern Catchments

considering the requirements of the council or other consent authority. As detailed in Section 3.1.3 of the FEMP, a climate change has been considered in accordance with the adopted Council flood study, which involved applying a 30% increase to rainfall intensities.

The FEMP has been updated to include event duration for the 1% and 5% AEP in addition to the PMF.

The external road, Wyong Road, becomes inundated less than 45mins from the commencement of the PMF. However the longest period of flood cutoff for the community is a relatively short period of 3 hours. Vehicular access can be achieved from the east of the site via Wyong road given the short duration of flooding. The recommended strategy for evacuation practices is discussed in Section 5.2 of the FEMP and is determined as vertical evacuation. A detailed analysis of the Shelter in Place requirements is addressed on page 34 of the FEMP.

Refer to previous response in Section 2.4.2. A meeting was also held between the applicant and Central Coast Council on 21 May 2025, in which Council confirmed their support for the proposed shelter in place arrangement given the extent of medical emergencies capable of being dealt with on-site. It was determined that the RACF acts a quasi-emergency department with staff trained and equipment available for a range of medical emergencies. Refer to the updated FEMP and FIA.

Flood Study. It is expected that occupants are to remain within the club until floodwaters recede and it is safe to leave. This is expected to be less than 3 hours.

The Flood Emergency Management Plan does not reference the duration of flooding in events other than the PMF event. According to the Tuggerah Lakes Southern Catchments Flood Study 2018, Wyong Road east of the proposed site will be subjected to H5 flood conditions during the 1%AEP event, H3 flood conditions during the 5%AEP event and H2 conditions during the 20%AEP event. While the duration of inundation during these events is likely to be less than that of the PMF, it is fair to conclude that should these events occur, Mingara site could not be accessed from the east on Wyong Road for a certain period. There appears to be continual safe access to the Site from the west during all flood events up to and including the 1%AEP event

Floodplain Risk Management Toolkit 2023

The Flood Risk Management Guideline EM01 states that the consequences associated with failed evacuation of developments with vulnerable occupants (eg. aged care) need to be considered and inform suitability of land use and permissible development types to minimise the Emergency Management risk to occupants and staff. It recommends identifying areas with less flood related constraints for the location of developments with more vulnerable occupants.

The Mingara Site is classed as a High Flood Island by the Tuggerah Lakes Floodplain Risk Management Study and Plan 2018. The entire site would be cut off during a PMF event. It is reasonable to assume that a significant proportion of occupants may require frequent medical attention and regular access to hospital. Ambulance access to the Mingara precinct will be cut off during the 20% AEP, 5% AEP and 1%AEP events.

Refer to previous response in Section 2.4.2. A meeting was also held between the applicant and Central Coast Council on 21 May 2025, in which Council confirmed their support for the proposed shelter in place arrangement given the extent of medical emergencies capable of being dealt with on-site. Refer to the updated FEMP and FIA.

The site itself is generally flood-free in all storm events up to and including the PMF flood event in the post development scenario, however the site is located in a flash flooding catchment and surrounding roads being subject to flash flooding in the PMF.

The most appropriate flood strategy was to shelter in place as:

- The longest period of flood cutoff for the community is a relatively short period of 3 hours.
- There is medical and clinical health support on site; be it 24hour healthcare with medically trained professionals and registered nurses on site
- Reduced impact on occupants with limited mobility and less risk of injury than via evacuation
- There is flood free pedestrian access to the Mingara Recreation Club
- Vehicular access can be achieved from the east of the site via Wyong road given the short duration of flooding.

Central Coast Council Flood Engineer Conclusion and Recommendation

Refer to previous response in Section 2.4.2 and above. A meeting was also held between the applicant and Central Coast Council on 21 May 2025, in which Council

Due to its lack of safe evacuation the seniors living development at this location would not be consistent with the recommendations of the Floodplain Risk Management Toolkit 2023. The development fails to satisfy CCLEP cl. 5.22 Special Flood Considerations due to its lack of safe evacuation for vulnerable occupants.	confirmed their support for the proposed shelter in place arrangement given the extent of medical emergencies capable of being dealt with on-site. Refer to the updated FEMP and FIA
WASTE All the waste from the buildings and villas are proposed to be transferred to the temporary waste collection rooms in Building 2 for collection. A single waste collection point is not practical for this size development. Given the amount of waste likely to be generated each building should provide a collection point for a HRV to access and collect directly from the building.	Refer to the updated Waste Management Strategy at Appendix I for complete details on waste management with the site. The village operator will be responsible for transporting waste from the garbage rooms of each building to the central waste collection room located in Building 2. Due to the size and weight of the bins, a bin tug is required in each garbage room to ensure safe and efficient handling. The provision of bin tugs is shown in the Ground Floor Plans of Building 1, 3 and 4 in the updated Architectural. The waste loading area, located in Building 2, has been designed to accommodate a 12.5m HRV. This area has been relocated with swept paths requirements and height clearances allowing safe and unobstructed access for waste collection vehicles.
The proposed compaction of bins can be supported. However, the over compaction of bins can lead to bins that are too heavy to be moved and can create manual handling issues for staff and collection personnel.	Due to the size and weight of the bins, a bin tug is required in each garbage room to ensure safe and efficient handling. The provision of bin tugs is shown in the Ground Floor Plans of Building 2, 3 and 4 in the updated Architectural drawings.
There is no indication of any bulk waste storage within any building or any of the villas.	The bulk waste storage for residents has been accommodated in Building 2 to the south of the proposed loading dock.
The temporary bin rooms are inaccessible while the waste truck is parked in the waste loading bay which prevents the bins from being moved from the waste room to the rear of the truck for emptying	The waste truck area has been redesigned to be stationed outside of Building 2, ensuring better handling and access to waste management. This arrangement allows for efficient movement of bins from the waste room to the truck for emptying, without obstruction or access issues.
The swept paths indicate that the waste truck will need to drive off the road when turning into the driveway in front of Building 2. The swept paths also show that the waste truck will hit the wall of the loading bay when leaving.	The swept paths for waste loading in Building 2 have been updated to accommodate a 12.5m HRV. This location of the waste vehicle parking bay has also been updated within Building 2 to minimise conflict between ambulance and waste parking. The swept paths confirm that the 12.5m HRV can be safely accommodated within the ground floor of Building 2.
The shared ambulance bay and waste truck loading bay is not supported. Given the number of bins, the waste truck could be in the loading bay for 20 minutes and would not be easily moved quickly in the event of an emergency.	The proposed ambulance parking space has been relocated to be adjacent the drop-off zone on the Ground Floor of Building 2. This revised layout designates a dedicated

	space exclusively for ambulance use, ensuring it is no longer shared with the waste management and loading bay facilities.
Swept paths are currently shown for a 10.5m vehicle. Council's Waste Guidelines require swept paths for a 12.5m HRV.	The swept paths for waste loading in Building 2 have been updated to accommodate a 12.5m HRV.
A minimum 3.5m clear vertical height clearance must be provided in all waste vehicle manoeuvring areas and collection points. The vertical clearance within the manoeuvring areas and collection points must be free of ceiling services and utility installations.	The waste collection vehicle is designed to be stationed outside of Building 2, with the waste loading area providing more than 3.5 metres of headroom clearance to accommodate vehicle access. An awning has been introduced above this area to provide weather protection during the loading and unloading of bins and goods
The proposed waste loading area is insufficient and does not provide enough clearance around the truck for the collection staff to manoeuvre bins from the temporary bin holding area to the rear of the truck.	The waste strategy has been redesigned with the waste loading now positioned external of Building 2.
Waste - Proposed Villa Accommodation Operational waste management details have not been submitted for the proposed villas.	Refer to the updated Waste Management Plan at Appendix I .
The waste pads within the villas should be screened and landscaped to reduce the visual impacts of the bins and have safe pedestrian access to the bins for residents.	Refer to the updated Landscape Plans at Appendix E . The waste pads within the villas have been updated to include shrub planting to provide screening.
HRV waste truck access has not been shown to all the villas. There is no indication of a turning point or "through road" to allow forward access for the HRV waste truck. Truck access must be shown via a swept travel plan analysis and provide forward access and a turnaround point at the end of each lane	Introducing HRV access to individual buildings would conflict with the purpose of maintaining a shared, low-traffic internal road and reduce the exposure to noise and smell to residents. To address this, the development will have a full-time Management responsible for managing waste collection. This team will ensure that all waste is brought to a central collection point in Building 2, where it will be efficiently managed and collected. This approach maintains the pedestrian-friendly, low-traffic design of the internal road while ensuring waste management is handled effectively. Refer to the Waste Management Plan for details.
Supplied WMP indicates a "caretaker will be responsible for collection bins from each "pad" and taking them to the temporary waste storage area in Building 2. This may not be the most efficient service and operational requires manual handling of bins that potentially can be collected from the "collection pads"	It is important to note that the site will be managed under a body corporate structure. This management approach allows for a more coordinated and efficient waste collection system, with the caretaker responsible for overseeing the process. By centralising waste collection in this manner, the operational efficiency can be improved, as the caretaker will ensure that bins are properly handled and taken to the designated storage area. This also allows for better monitoring of waste management

	practices, ensuring that the system adheres to sustainability standards and reduces the risk of waste accumulation. Refer to the Waste Management Plan for details.
Waste - Proposed ILU's Chute access must be via a dedicated service room, not a cupboard in a hallway for all buildings.	Following a recent consultation between the waste consultant and Council dated in April and June 2025, it was confirmed that the proposed waste chute configuration—accessed via a dedicated cupboard within the corridor—is acceptable in lieu of a fully enclosed waste room. This approach has been reviewed and supported by the relevant authorities, and is considered appropriate for the operational needs of the development.
Residents must not have to travel more than 2 floors or 30m to access an interim storage room to deposit waste/recycle/FOGO material.	The revised design includes a separate chute system for the FOGO waste, allowing it to discharge directly into the garbage room located on the ground floor. This system minimises the need for residents to access the garbage room, which could pose safety risks due to the presence of the compactor. Additionally, this approach simplifies waste management by allowing easier and safer collection of all waste directly from the waste room.
The proposed chutes in Buildings 1 and 3 do not appear to line up. The location of the chutes in the waste room is wider/further apart than what has been indicated on the floors above.	Refer to the updated ground floor plans for Building 1 and Building 3 where the waste room and chute has been modified to align with the waste room on the ground floor.
There is no bulk waste storage room for all buildings and a collection point.	Bulky waste storage is provided in Building 2.
The proposed bin tug parking area and travel path shown in the WMP may not be suitable for the proposed bin tug.	Refer to the ground floor level of each building, as shown in Drawings DA2.51 (Building 1), DA2.71 (Building 3), and DA2.81 (Building 4), where dedicated bin tug storage is provided. In Building 4, one bin tug will be available, which can be shared between the two garbage rooms located in close proximity to each other.
No details of the type of bin tug proposed to be used has been provided.	Refer to the Waste Management Plan at Appendix I for bin tug details.
The chute discharge room in Building 2 appears to be congested and double stacking of bins is not supported. The consolidation rooms/chute discharge rooms must be adequately sized plus an additional 70% of room to allow for the safe movement of bins within the storage room.	Refer to the ground floor plan for Building 2 for the revised waste storage area.
The commercial waste storage is insufficient and not large enough for the proposed bins. Residents in Building 2 are unable to access the bin storage room.	Refer to the ground floor plan for Building 2 for the revised waste storage area.
The chute of Building 3 does not appear to discharge into a bin.	Refer to the ground floor plan for Building 3 which shows the waste chute aligning with the waste room on the ground floor.

Chute discharge points have not been shown on the plans for Building 4.	Refer to the ground floor plan for Building 4 which shows the waste chute aligning with the waste room on the ground floor.
Bin stacking is not supported. Access should be available to all bins all the time	The 660L bins have been relocated so they are not stacking. Refer to the ground floor plans for Building 1, 2, 3 and 4 for the proposed changes.
There is no resident access to bin room in Building 3 and bin room A in Building 4.	The waste rooms are restricted for residents' access, as it contains waste equipment that may pose a hazard to residents. The chute system on each resident level will provide adequate handling of waste without the need to access the waste room.

2.4.4. Government Agencies

The following table provides a summary comment of the responses receive from Government Agencies.

Table 6 Response to Government Agencies Comments

Comment	Response
TRANSPORT FOR NSW	
TfNSW has reviewed the information provided and considers that the impacts are considered acceptable based on the assessment undertaken and noting proposed improvements to active and public transport facilities and connections in the area to support mode shift.	Noted.
TfNSW supports opportunities to reduce private car travel and improve mode choice. DPHI should be satisfied the development has considered adequate, safe and connected active and public transport infrastructure to the site, including end of trip facilities.	Noted
Letter dated 24 March 2025 regarding SIDRA Modelling and assumptions	The TAIA has updated the modelling assumptions in line with the TfNSW comments.

DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER

Waterfront land – to be completed post-determination

Noted.

- Quantify the maximum annual groundwater to take into account aquifer interference activities due to the project during construction and operation in accordance with the NSW aquifer interference policy
- Demonstrate the ability to acquire sufficient water entitlement for groundwater take unless an exemption applies
- Works on waterfront land to be designed and constructed as per the Guidelines for CA on waterfront land – POST DETERMINATION

Water take and licensing – to be completed pre-determination

- Department of Planning, Housing and Infrastructure requests the proponent to quantify the maximum annual groundwater take due to aquifer interference activities due to the project during construction and operation in accordance with the NSW Aquifer Interference Policy.
- Department of Planning, Housing and Infrastructure requests the proponent to demonstrate the ability to acquire sufficient water entitlement for groundwater take unless an exemption applies.

A Groundwater, Surface Water and Salinity Impact Assessment has been prepared by Stantec and included at **Appendix T**. The report estimates a total groundwater take during deep pile construction to be 0.5ML. This estimated volume is not a continuous annual take to be consumed or used for supply but is considered the maximum take for the duration of the project. The estimated take volume is also less than the 3 ML take threshold volume requirement under NSW Department of Planning, Infrastructure and Environment guidelines. A water supply work approval will be required, however a water access license is not anticipated to be required.

CONSERVATION PROGRAMS, HERITAGE AND REGULATION (CPHR)

Flood Warning and Flood Emergency Evacuation Practices (Prior to OC)

Updated FEMP and FIA accompanies the RTS. Refer to response in Section 2.4.2.

- Revise the FERP in accordance with the Shelter in place guideline for flash flooding (DPHI, January 2025). Matters that require further consideration include:
 - A. Identify risks and benefits associated with each of the proposed emergency management strategies.
 - B. Develop actionable triggers for each critical emergency management action.
 - C. Collaborate with facility managers to ensure management have the sufficient capacity and training to implement all emergency management actions.
 - D. Refer the FERP to the NSW SES for consideration.

Insufficient information on additional flood storage works (Prior to CC) - Provide detailed cross sections and long sections of the proposed channel works. - Verify that the function of existing water quality treatment measures is not impacted by the proposed modifications.	Noted – can be provided prior to CC
Biodiversity (Condition) - Condition mitigative and management measures identified in the BDAR and VMP (ecologique, 2024).	Noted.
HERITAGE NSW	
Please provide an updated Aboriginal Heritage Information Management System (AHIMS) search. AHIMS searches are only valid for a period of 12 months. It is recommended to expand the search area to increase the number of AHIMS results to inform a predictive model of typical site types in the region.	An updated AHIMS Extensive Register search was undertaken on 6 March 2025 which included a buffer zone of approximately 10km in all directions surrounding the study area.
Heritage NSW requires that consultation with Registered Aboriginal Parties (RAPs) is continuous. Under our guidelines, breaks in consultation of over six months may not constitute continuous consultation. If an unexpected break of greater than six months has occurred, the applicant may be required to restart the consultation process. Please ensure that consultation is kept continuous, and all consultation included in the submitted ACHAR.	An email request for an updated Aboriginal Stakeholder List was issued to Heritage NSW on 6 March 2025. Of the four (4) additional raps identified during this process, three (3) chose to comment on the project and were included in the RAP list. The revised ACHAR was issued to all RAPs on 25 March 2025, with the 28-day review period ceasing on 22 April 2025. A total of nine (9) RAPs responded to the revised ACHAR. These responses are detailed in Section 7 and <i>Appendix 1</i> of the ACHAR at Appendix H .
Please provide evidence of the registration of all RAPs in the appendix. The copies of email registrations provided in the appendix does not correlate with the RAPs listed in Section 3.1.	Refer to the appendix in the ACHAR showing correspondence to RAPs and registration.
Please confirm that no feedback or cultural information was received from the RAPs at any stage of the consultation process, including the Darkinjung Local Aboriginal Land Council (LALC) during the site inspection.	Travers has incorporated all feedback during the ACHAR process and we are advised there was no cultural information was received by the RAPs.
Please ensure that the study area boundary outlined in the ACHAR exactly matches that of the study area boundary provided in the EIS.	Figure 1 in the ACHAR reflects the development area.

The assessment of Aboriginal cultural values (Section 7) of the ACHAR should be updated to consider the regional cultural themes identified in the Connecting with Country report (Appendix K). While no site-specific cultural values were identified in the ACHAR, regional values and themes can inform an understanding of the cultural landscapes in which a study area is located.	Refer to ACHAR which has been updated to include cultural themes from the CwC report.
Please update Section 5 to include a consideration of the Geotechnical Report (Appendix U) submitted as part of the Environmental Impact Statement (EIS). The report indicates that up to 6m of intact Wyong alluvial soils may be present below levels of fill. Deep, alluvial soils may retain extensive archaeological deposits below levels of historical disturbance, especially where associated with coastal estuary systems. Please update the Predictive Model to consider this and provide further discussion on the potential for intact soils to contain archaeological materials.	Refer to ACHAR which has considered the geotechnical report.
Heritage NSW note that cultural value is derived from both tangible and intangible values, with levels of disturbance within a study area not a determinate for the potential for intangible cultural significance. As such, the wording of the Statement of Significance (Section 8.6) should be amended to reflect this.	Refer to ACHAR which has updated accordingly.
The Impact Assessment (Section 9) does not provide a detailed discussion of the proposed works (including depth and degree of earthworks). The Impact Assessment should be updated in consideration of the Geotechnical Report and Predictive Model against details of proposed disturbance.	. Refer to ACHAR which has updated accordingly
Please consider the principles of Ecologically Sustainable Development (ESD) as part of the Impact Assessment.	Section 9.2 of the ACHAR has incorporated ESD principles
The Conclusions and Recommendations (Section 10) should be reconsidered following analysis of the Geotechnical Report and update of the Predictive Model.	Refer to ACHAR which has updated accordingly
The Unexpected Finds Procedure should be updated to also include the requirement to report any unexpected finds or human remains to compliance@planning.nsw.gov.au	Section 10.4 of the ACHAR addresses this issue and email added.
FIRE & RESCUE NSW	
FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage.	Noted.

STATE EMERGENCY SERVICES (SES)

Recommend careful consideration of the flood risk of the proposed development, that seeks a significant increase in the number of people within the flood planning area, particularly as it is for a **sensitive use** development.

Noted. The FIA and FEMP have assessed the development as a sensitive land use.

Recommend that if the development proceeds, that the site design permits for flood free rising road access for the entire development due to the frequent flooding in the Tumbi Umbi Creek catchment and limited to no warning time available. NSW SES does not support strategies that rely on people entering floodwater.

The proposed development is located above the PMF. However, the external access road at the intersection of Wyong Road is inundated during the PMF. Further details are provided in Section 3.1.6 of FEMP report.

The proposed strategy is to shelter in place and does not rely on anyone entering floodwater. The retirement village has the ability to provide critical medical care on site that caters for a wide breadth of scenarios. The clinical care on site will actually reduce the burden on the SES through this medical care to residents but even potentially beyond to those sheltering the Club.

Recommend that any access/egress constraints are addressed at the EIS stage. The site is surrounded by H5 hazard for up to 2 hours during a PMF.

The flood emergency management plan has been amended based on revised modelling which resolved errors in the previous model approach. Previously the culvert and road crossing at the intersection of Wyong Road and Mingara Drive was represented as an open channel.

This resulted in the hydraulic model indicating the site is isolated by H5 during the 1% AEP. The revised hazard categories are shown in the FEMP for the PMF, 5% and 1% AEP at Figure 10, Figure 11, and Figure 12 respectively. The site is only isolated by H2 flood conditions during the PMF and is not isolated during the 1% or 5% AEP. More frequent events such as the 20%AEP were not modelled since it is shown that the road is not liable to flooding during rarer events

Recommend reconsidering basement carparking or redesigning it to ensure that it is passively protected to the Probable Maximum Flood (PMF) i.e., that all entrances and openings (vents, etc) are located above the PMF.

Noted. The proposed development is located above the PMF. Importantly the car parking is undercroft and not in basement.

Recommend the EIS should also consider how the project interacts with other existing or planned developments and the cumulative impacts on flood risk. Further guidance is provided in the Flood Impact and Risk Assessment Guideline LU01.

The hydraulic models associated with the current adopted flood study are used to inform the flood risk. Further consultation with Council has been undertaken as detailed in Section 1.3 of the FEMP report. There are no known planned developments in the catchment area which would cause a cumulative impact on flood risk.

Recommend seeking advice from the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) regarding the impact of the proposed development including flood storage within the precinct on flood behaviour, including consideration of offsite impacts. We note to eliminate flood impacts as a result of the development, additional flood storage has been provided to the south of the development site.	The NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) has been provided an opportunity to provide comment on the flood impact through the EIS process. Following their review DCCEEW provided no comments regarding flood impact or flood storage changes.
Note that the proposed development will be subject to Clauses 5.22 Flood Planning and Clause 5.22 Special Flood Considerations of the LEP. This will ensure that the flood risk to life and property is minimised as sensitive land-uses such as aged-care facilities will be located above the probable maximum flood (PMF) level. Pre-development, the entirety of the development site is located within the PMF flood extent.	Noted. The site is located between the flood planning area and the PMF in the pre-development scenario but is above the PMF in the post-development scenario. Clause 3(a-c) are addressed in the FEMP report: 3a: Section 6 of this report details safe occupation in the event of a flood. A shelter in place strategy is identified as most suitable given the flash flood characteristics of the site. 3b: In consultation with Council the primary constraint to a shelter in place strategy was secondary medical emergencies occurring during the time of isolation. - Medical emergency management protocol is detailed in Section 5.6 of the FEMP report. 3c: The flood impact report finds that the development will not result in significant flood impact for events up to and including the PMF
Recommend considering the impacts of climate change. It is estimated that the actual probability of a 1 in 100 AEP for the Tumbi Umbi Creek catchment area is approximately a 1 in 54.5 AEP event for the current 2024 scenario. For the proposed development site, this could result in more frequent inundation and/or isolation than what is currently expected based on previous modelling.	As detailed in section 3.1.3 of the FEMP, climate change has been considered in accordance with the adopted Council flood study, which involved applying a 30% increase to rainfall intensities. This was further validated and accepted in recent meeting with Council on 21 May 2025. Further commentary is provided on page 10 of the FEMP.
Recommend amendments to the Tumbi Umbi Retirement Living Flood Emergency Management Plan (FEMP). Further detail is provided in Attachment A, Principle 1.	The recommended amendments have been incorporated throughout the FEMP report.
To minimise disruption to essential services, the NSW 2022 Flood Inquiry recommends essential services infrastructure is situated as much as possible above the flood planning level. Hospitals, medical centres, nursing homes, aged care facilities and police stations should be situated above the probable maximum flood level. We note that post-development that the buildings will be located above the PMF	Noted. The proposed development is located above the PMF.

AUSGRID

Ausgrid Underground Cables are in the vicinity of the development

The proponent will need to discuss new connections and load requirements to the site directly with Ausgrid and submit a connection application to Ausgrid as soon as practicable.

Noted – will occur prior to CC

Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Ausgrid Overhead Powerlines are in the vicinity of the development.

Ausgrid has overhead distribution assets present along Wyong Rd to the north of the site. The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines

Noted – will adhere to any relevant requirements.

. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process.

It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The “as constructed” minimum clearances to the mains must also be maintained.

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.

New Driveways -proximity to existing poles

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the

Noted – will adhere to any relevant requirements

layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance

Street lighting

The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particular the placement of windows, or discuss with Ausgrid the options for relocating the streetlighting.

The relocating of any streetlighting will generally be at the developers cost. In many cases is not possible to relocate streetlighting due to its strategic positioning

Noted – will adhere to any relevant requirements

New or modified connection

Recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure

Noted – will occur prior to CC

2.4.5. Public Submissions

Table 7 Response to Public Submissions

Key Issue and Description	No. of Submissions Related to Issue	Response
<u>Athletics Parking</u> Loss of parking will create safety risks for participants, contributing to traffic congestion in surrounding streets, no clear plan for alternative parking arrangements, athletics facility use is increasing and therefore parking should be increased, inability for the club to host major events if the seniors housing is approved.	47	The proposal provides an appropriate alternate car parking arrangement to the current informal arrangement of car parking for Athletics users. As per the existing approval of the athletics track there is a commitment by the Club to provide 150 all weather car parking spaces near to the track. This remains unchanged in the proposal, through the provision of 791 parking spaces across the site. In the event that overflow car parking is required, a safe and accessible pedestrian path is proposed to the east of the site. This will be managed through a EMTP as described in 2.4.2. Currently the existing grassed area is unmanaged, unsealed and does not provide a level pathway to the spaces or dedicated accessible car spaces. 5 new accessible spaces are provided adjacent to the club entry.

Key Issue and Description	No. of Submissions Related to Issue	Response
		There is enough total "hardstand" parking within the MRC precinct to accommodate for all uses on site including the 300 (all weather + overflow) parking required for the athletics track. As such every user of the athletics track has the option to park on all weather areas (rather than grass and often wet/muddy ground) should they choose.
<u>Traffic</u> The relocation of parking will result in on-street parking being used and reducing parking access for residents, submitted traffic report does not reflect the prevailing traffic conditions, local road network and intersections are not capable of supporting the development., traffic volumes are outdated, no clear plan for separating traffic modes and users, clarification if any off site upgrades are required.	30	The TAIA has reviewed the car parking across the site including for all of the precinct users and their operating hours and peak usage times. This assessment revealed an appropriate number of car parking spaces on site and did not foresee any on street car parking. The traffic assessment is sound and has been reviewed by TfNSW and Central Coast Council. Appropriate responses to their matters are addressed in 2.4.3 and 2.4.4.
<u>Safety</u> Youth age groups accessing the athletics track from club carparking poses safety risks, how will pedestrian and vehicles be separated during construction and operation, the traffic report has not adequately addressed pedestrian safety, women's safety following evening track events.	24	The current grass area (the subject site) is unmanaged and informal in nature and is not lit or with clear pedestrian pathway, spaces or aisles delineated. An alternate car parking arrangement that is within 3 to 6min walking distance will improve the safety of athletics users by: ▪ Provision of a DDA compliant and lit pedestrian pathway ▪ Providing a location of car spaces that are visible from the Club, ELC and also from the internal roadway, facilitating natural surveillance ▪ Implementation of management measures including a parking controller that will further improve vehicle and pedestrian safety through directly cars appropriately into car parking and further exacerbating natural surveillance.
<u>Disabled parking and access</u> The distance between the club or legends carpark would reduce participation from disabled athletes, emergency vehicles are unlikely to access the site during larger events.	15	The revised proposal has 5 additional accessible spaces adjacent to the Athletics entry. There are also provision for drop of zones. Emergency and bus access, pathway and turning circles have been tested and deemed appropriate.
<u>Built form and design</u> Inconsistent with prevailing built form, EIS does not justify the proposed building heights enough.		The EIS included a visual impact assessment, urban design report and architectural design statement justifying height, noting there is no height control applying to the land, so a contextual response informed the building heights.

Key Issue and Description	No. of Submissions Related to Issue	Response
<u>Senior's housing location inappropriate</u> The location of the seniors housing development will lead to the cessation of the athletics track, concerns over the conflict between gambling within the club and seniors occupants.	8	Adequate parking for Athletics users will remain available for track users and MLG is committed to the ongoing use of the land for recreational purposes. The seniors housing is separated in built form from the Mingara Recreation Club and will not lead to gambling. A social impact assessment accompanied the EIS.
<u>Incompatible zoning and land use</u> The proposed development is inconsistent with the objectives of the RE2 zone, permissibility.	7	The Central Coast LEP and the Housing SEPP permit seniors housing on the subject land. The recreational zoning is not altered by this proposal.
<u>Construction impact</u> How will construction vehicles be managed at the site entrances and the Hansen Road, Mingara Drive and Wyong Road intersection.	7	A construction traffic management plan has been prepared and will be further detailed prior to Construction Certificate and any works commencing.
<u>Environmental impact</u> Impacts of the construction works on nearby wildlife (e.g. river turtles and birds) due to runoff into watercourses, strategies to protect existing ponds, increase in foot traffic in environmentally sensitive areas, ignores previous advice given to Glengara that tree removal is not permitted.	7	An amended BDAR accompanies this RTS and is required to address the ecology of the site and surrounding area. This BDAR recommend a Vegetation Management Plan be prepared for the land to the west of the site to embellish the natural environment. Any tree removal is embellished through substantial replanting.
<u>Athletics participation</u> Impact associated with the proposed development will lead to a decrease in participation, undermines the ability for the club to expand.	5	The proposed land uses are able to operate concurrently and there is no evidence to suggest the athletics use will lead to decreased participation. MLG is committed to the ongoing use of the land for recreational purposes. The seniors development will not limit any future expansion of the Club.
<u>Noise</u> Maintaining a buffer zone between the aged care and athletics track, concerns over noise related restrictions being imposed on athletics track users, concerns over prolonged construction noise, noise intrusion from seniors to nearby accommodation.	4	The proposed development does not seek any operational changes to the athletics field including operational hours, which remain as per the Athletics consent, DA/420/98. As such the current track events and carnivals will occur as existing. An acoustic report was submitted with the EIS which assessed the receiving environment, including the athletics noise and no further design changes to mitigate potential noise were required.

Key Issue and Description	No. of Submissions Related to Issue	Response
		A construction management plan has been prepared and will be further detailed prior to Construction Certificate and any works commencing. This will be bound by appropriate construction noise enabling respite hours for surrounding residents.
<u>Flooding and stormwater</u> The revised package should consider tsunami inundation, increasing discharge into Tuggerah Lake is not recommended due to existing flooding issues, increase in runoff to the existing riparian corridor due to increase in impermeable surfaces, quality of runoff into drainage corridor.	4	A flood statement has been updated for the RTS and addressed Central Coast Council's flood comments to ensure all modelled events had captured the appropriate flooding scenarios. Updated civil drawing set including stormwater plans are submitted with the RTS.
<u>Privacy</u> All of the homes on the fence line of Glengara and Jaegar Road will be overlooked, further attempts to reduce the opportunity for overlooking should be investigated, demands for vegetation screening between Glengara and the proposed development.	3	The proposed development is well setback from the southern and western boundary and is screened by landscaping with limited potential for overlooking and privacy concerns. Amended landscape plans are submitted with the RTS. The original EIS and accompanying Visual Impact Assessment prepared by Urbis concluded that view impacts to the public and private domain are reasonable and supportable on visual impact grounds. The potential for significant and/or unacceptable visual change has been sufficiently mitigated by the urban context, including the vegetation buffer to the south and west and moderate trees along Wyong Road and other streetscape elements.
<u>Lack of medical facilities</u> Concerns over nearby medical centres being full and not accepting new patients, quality in-home care is difficult to access in the Central Coast.	3	The social impact assessment in the EIS examined the feedback from the community in relation to health services and as such the communal spaces within Building 2 can accommodate consultation rooms if required. The RACF component in Building 2 can appropriately cater for medical emergencies and will not place additional drain on health services nearby.
<u>Inadequate public transport</u> The analysis of surrounding public transport is misleading, the Green Travel Plan (GTP) should be updated to call out the opportunity for bus shelters to be installed as stops likely to be used by the residents and staff of the proposed development.	2	The TAIA has reviewed the surrounding bus routes and included these in the GTP. The role of the GTP is not to propose additional bus shelters.
<u>Visual impact</u> Building 1 will have a significant impact through obstructing the entry vision to the athletics track, the wooded ridge line is of unique scenic quality and its	2	The EIS included a visual impact assessment, urban design report and architectural design statement assessing the view lines across and through the development. A contextual response informed the building heights with a strong reference to ensuring the built form responded to the ridgeline and incorporated view lines towards the ridgeline.

Key Issue and Description	No. of Submissions Related to Issue	Response
vista should be protected, the selected viewpoints have been selectively chosen to mask the interruption of the proposed development.		
<u>Engagement</u> Weren't aware of the proposed development until exhibition, lack of changes from the scheme presented at community engagement to the lodged scheme, "tick-box" engagement.	2	A stakeholder engagement process was undertaken prior to lodgement of the DA and documented in the EIS. The stakeholder engagement process was in accordance with the DPHI Guidelines.
<u>Planning process</u> Submission of the SSD to DPHI and not Council.	1	The proposed development meets the threshold of a SSD under the Planning Systems SEPP and as such the consent authority is the DPHI. An applicant can not opt out of this approval process if triggered.

3. PART 2: AMENDMENT REPORT

3.1. DESCRIPTION OF THE PROJECT AMENDMENT

This section of the report describes the proposed amendment and provides a comparative analysis of the original development and amended proposal. It also includes an updated detailed description of the various components of the proposal, including the proposed amendments.

Refer to the revised Architectural Plans (**Appendix B**) and Landscape plans (**Appendix E**) for further details on the project amendment as well as the design refinements made since public exhibition. The project amendment (and the project refinements) are submitted pursuant to the provisions of Section 37 of the EP+A Regulations 2021.

The amended project seeks works outside the development site as was defined in the original EIS. Importantly all amendment works are within a nominated lot (lot 13) for which consent is sought, and which is the primary lot that forms part of the SSDA land.

3.2. OVERVIEW AND COMPARATIVE ANALYSIS

The amended project includes works beyond the development site boundary (indicated in red dashed line in Figures below) to embellish the interface between the seniors housing and the athletics track, improve the main entrance and forecourt to the track, implement safety measures and accessible parking and provision of an accessible pedestrian pathway to connect to conveniently located car parking. The embellishments also improve the pedestrian path, network, connectivity and experience around the site.

Figure 4 Originally Proposed Athletics Interface

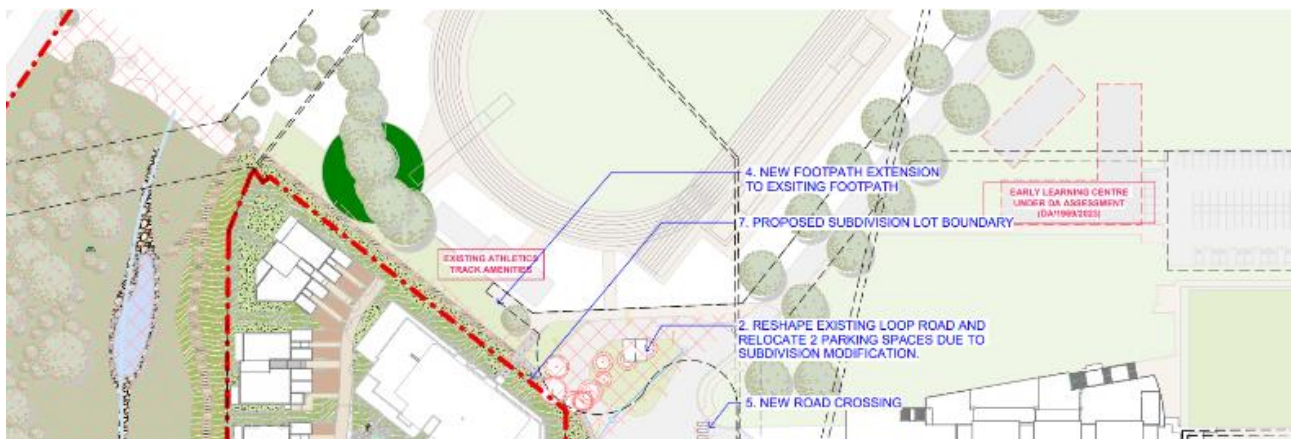


Figure 5 Amended Athletics Interface

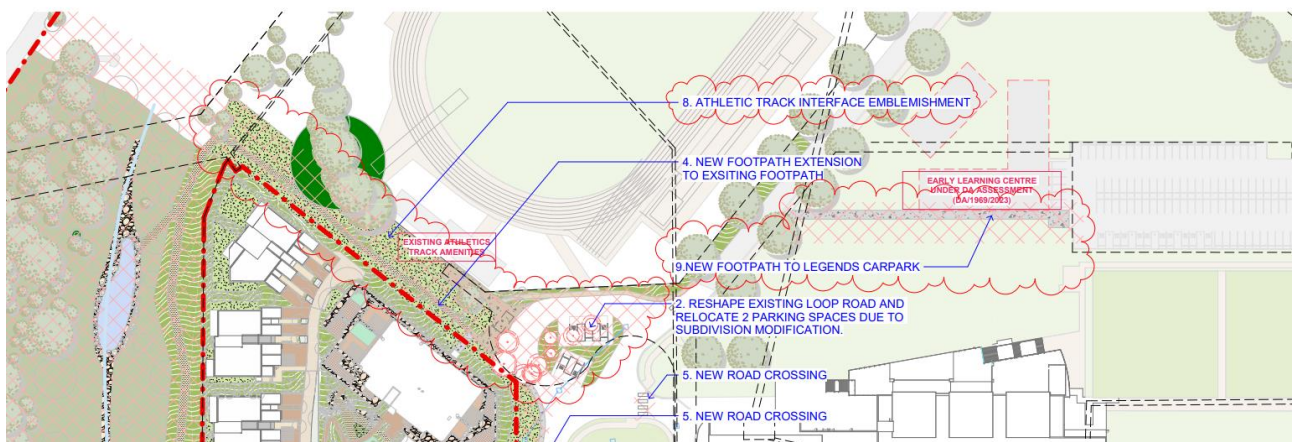


Figure 6 Original Northern boundary landscaping



Figure 7 Amended Northern boundary landscaping



A comparative analysis has been undertaken of the proposed changes to the original development in accordance with the DPE *State Significant Development Guidelines* and as shown in the following table.

Table 8 Comparative Analysis

Element	Original Development	Amended Development
Land use Activity	Seniors housing, permissible pursuant to the Housing SEP	Ancillary works (including hard and soft landscaping, pedestrian pathway, accessible, car parking). These are considered ancillary to the athletics field (recreation area outdoor) and registered club and both are permissible with consent in the RE2 zone.
Maximum height of building	Maximum height across the site is RL32.300 at Building 3.	No change
Floor Space Ratio/GFA	FSR of 1.06:1 (defined as the Tumbi Umbi Retirement Village)	Minor reduction in FSR to 1.05:1
Residential unit breakdown	39 high car beds; 219 ILus	No change
Parking spaces	296 residential car spaces (including 82 accessible spaces and 147 x 3.2m wide spaces)	5 additional accessible spaces
Bicycle and motorcycle parking	2 x visitor, 1 x staff	No change
Landscape area	As per the submitted EIS	- No change to the seniors housing component ~1,700sqm of additional soft landscaped area (with ~7 trees) between the seniors development and the athletics track and ~235sqm of hard/paved landscaped area in the athletics forecourt area
Tree removal	54 high retention value trees and 40 low retention trees	No change
Estimated Development Cost	\$172,450,460 (excl. GST)	\$178,711,137 (excl. GST)

3.3. DETAILED DESCRIPTION

3.3.1. Athletics Interface and entry

Landscape embellishment works at the entry to the Athletics Track and between the seniors living development comprising:

- New turf along the northern boundary with meandering pedestrian pathway
- ~7 new trees within the mounded turf to the north of the development site boundary
- New paving at the entrance to the athletics track and connection into existing concrete path. This creates a meaningful or formalised entrance which allow allows for groups to congregate as well as facilitates a safe drop off area.
- 5 x 1.79m long seats along the edge of the paved entrance to the athletics track
- Inclusion of bollards along the drop off area
- Embellishment of the existing garden beds proximate to the track, south eastern corner.
- Landscaped turning circle

See landscape plan at Figure 8 below.

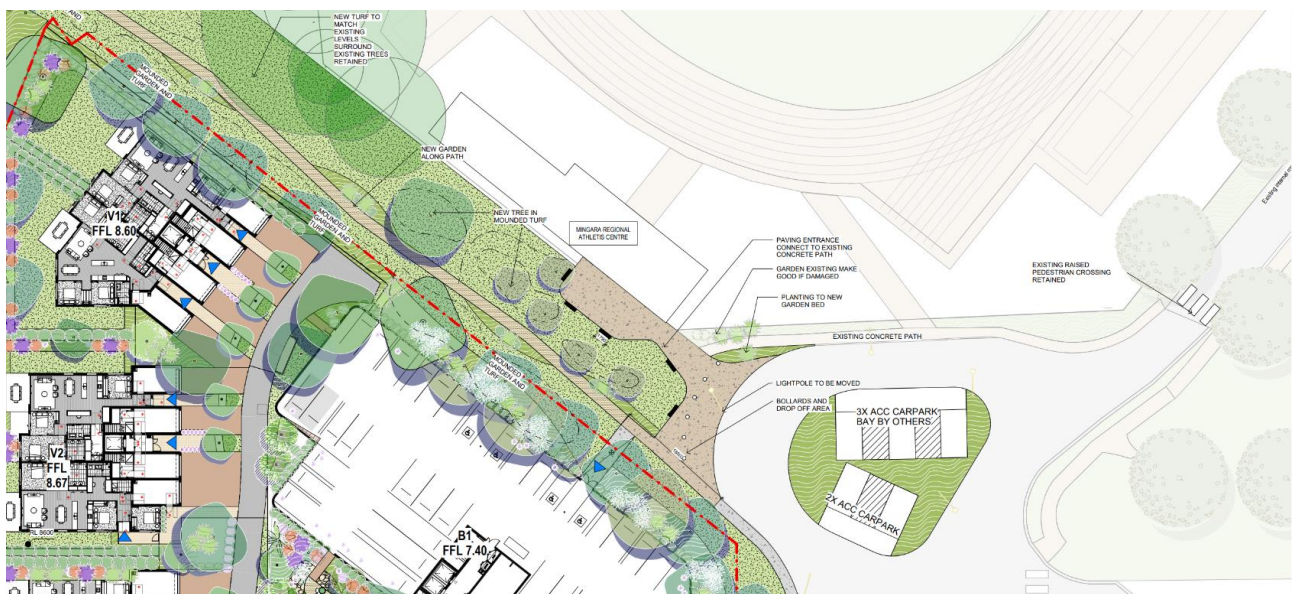
3.3.2. Pedestrian connection Athletics Track Parking

Works to provide a safe and accessible path of travel to convenient parking areas for athletics users as well as accessible car parking, comprising:

- Inclusion of 5 dedicated accessible car parking spaces
- Formalised new accessible/DDA compliant pedestrian pathway to hardstand and grassed (overflow) car parking areas to the north of the Club. This pathway will connect into the existing pedestrian footpaths and existing raised pedestrian crossing.
- Provision of safety lighting along the pedestrian pathway
- Changes to traffic management, as articulated in Section 2.2.2.

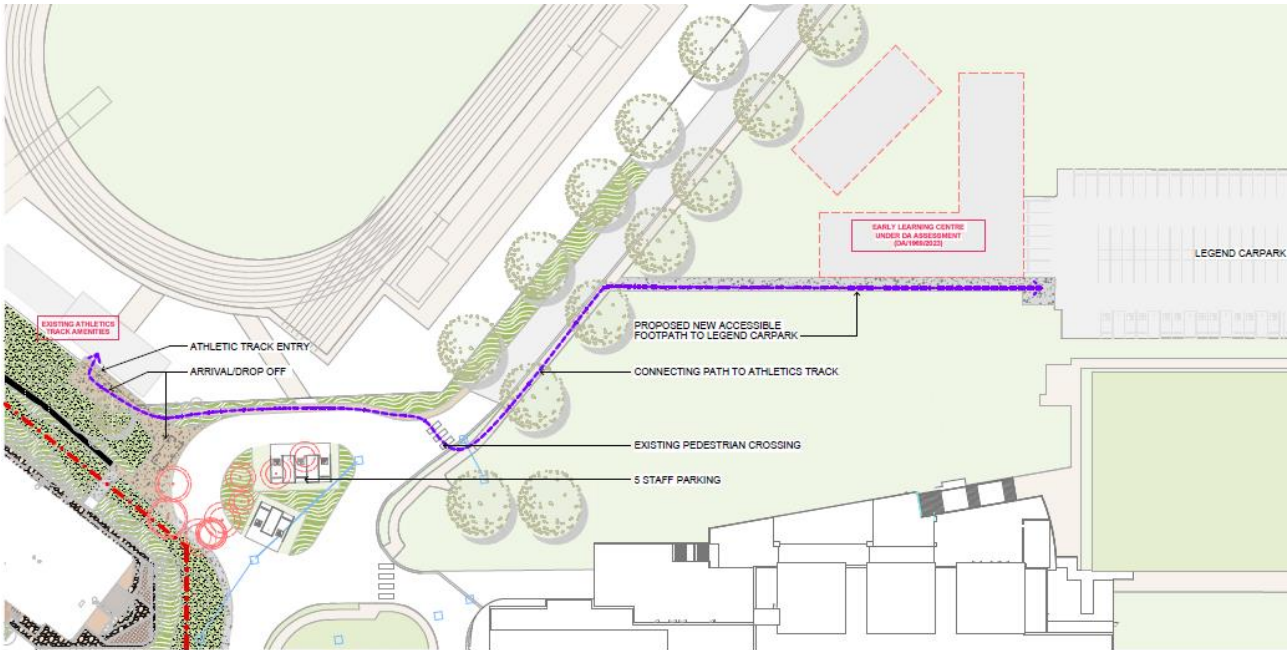
See pedestrian connection and footpath in Figure 9 below.

Figure 8 Landscape Amendments



Source: Taylor Brammer

Figure 9 Proposed footpath and connection



Source: Marchese

3.3.3. Development timing

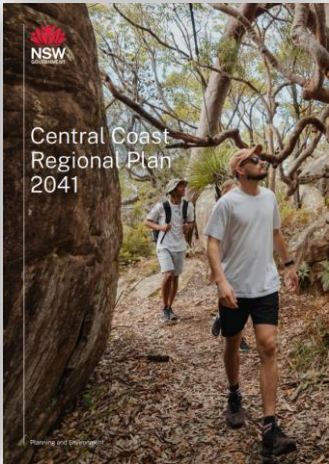
Although staging has been sought as part of the EIS, the proposal is seeking flexibility in staging. In short stages may also be undertaken concurrently, i.e. the next stage may commence where the previous stage is still being completed. The applicant is seeking flexibility in the consent to enable individual buildings within the stages to be completed independently of each other if required.

3.4. STRATEGIC CONTEXT

This section of the Amendment Report describes the way in which the proposal addresses the strategic planning policies relevant to the site. It identifies the key strategic issues relevant to the assessment and evaluation of the project.

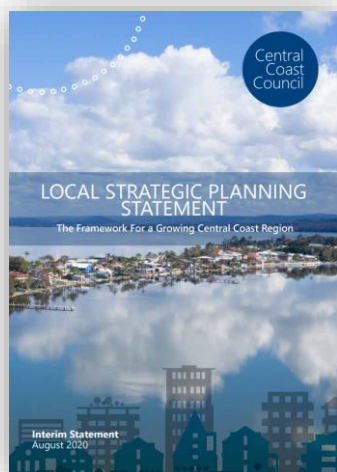
Table 9 Strategic Assessment Table

Strategy or Plan	Response
NSW Premiers Priorities	The premier's priorities aim to enhance the quality of life for people in NSW and tackle key social issues identified by the former NSW Government. The following priorities set by the former NSW Government are relevant to this SSDA: Great public spaces. The proposed development will present new community areas linking with the broader Club. Other aspects of the proposed landscape design are also considered to complement the priority of delivering great public spaces, including embellishment of the western easement (to the west of the development site), which is publicly accessible. A strong economy. This SSDA supports the trend of promoting independent living opportunities for seniors, which will improve the availability of other housing typologies for different demographic groups. Ultimately, this will alleviate supply-side pressure on the housing market to support a stronger economy. Well-connected community quality local environment.

Strategy or Plan	Response
	This SSDA will deliver additional ILUs and a RCF (high care suites) at the site. This will provide an opportunity for more senior residents to 'age in place' within the socially cohesive and diverse community of Tumbi Umbi. It has been established throughout this EIS that a high-quality design outcome has been achieved by the proposed development. The construction and operation of the proposed development will create additional jobs at the site of a significant employment-generating land use. This will support the local community by providing opportunities for employment., The project has been subject to design quality review led by the NSW Government Architect's office. The feedback has been reflected in the final design which will contribute to enhancement of the quality of the local environment.
Central Coast Regional Plan 2041 	The Central Coast Regional Plan 2041 (Regional Plan) sets the vision for the Central Coast region to create a 'healthy natural environment, flourishing economy and well-connected communities'. The objectives from the Region Plan that are relevant to the scope of this SSDA include: ▪ <i>Objective 3 – Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities</i> ▪ <i>Objective 5 – Plan for 'nimble neighbourhoods', diverse housing and sequenced development</i> The Central Coast will experience substantial growth in its older population, with the number of residents aged 80 and over is projected to double within Central Coast by 2041. The delivery of additional ILUs at the development area will improve market access to seniors' housing that is generally in high demand, which will support the overarching goal to alleviate supply-side pressure on the housing market. ▪ <i>Objective 8 – Plan for businesses and services at the heart of healthy, prosperous and innovative communities.</i> The proposal will increase the concentration of seniors' housing in Tumbi Umbi, which will encourage business activity and investment in the broader Club and the locality. This will support the function of Tumbi Umbi as a collaborative health and education precinct and the overall economy of the local area.
Central Coast Local Strategic Planning Statement	The Central Coast Local Strategic Planning Statement (LSPS) provides the framework that implements the Region Plan at a local level. The LSPS provides local Planning Priorities, which are organised into 12 themes as directions for sustainable growth. The following Planning Priorities are of direct relevance to this SSDA: <u>Housing - Planning Priority 1. Provide well designed housing with high standards of sustainability features</u> The proposal will deliver 219 ILUs and 39 new RCF beds, which will increase the diversity of seniors' housing in the locality. It has been established that the site is proximate to employment opportunities, public services, and open spaces. <u>Economics - Planning Priority 2. Build the knowledge economy and support health and wellness Industries</u> The proposed seniors housing will support the wellness facilities within the broader Club site and the health facilities located close to the site such as the Mingara Medical. <u>Environment - Planning Priority 1. Create sustainable and resilient communities</u>

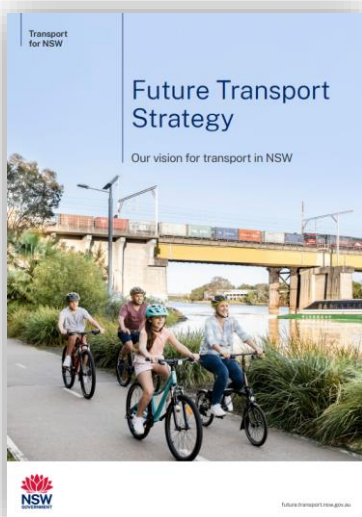
Strategy or Plan

Response



The proposed development will deliver a high-quality design outcome for the site, including 11,515m² of communal open space. The proposed landscape design is intended to feed into the development site and align to the Connecting with Country engagement. The proposed development integrates well with western drainage line including revegetation and embellishment of landscaping and a Vegetation Management Plan.

Future Transport Strategy



The Future Transport Strategy (Transport Strategy) functions as the State Government's principal transport masterplan, which will support the addition of over three million new residents across NSW by the year 2061. The Transport Strategy establishes a vision and strategy for delivering transport services and infrastructure in NSW over a timeframe of forty years.

The Transport Strategy outlines six state-wide outcomes to guide investment, policy and reform and service provision providing a framework for planning an investment to support a modern, innovative transport network. The strength of the economy supported by an advanced transport system is recognised in the strategy.

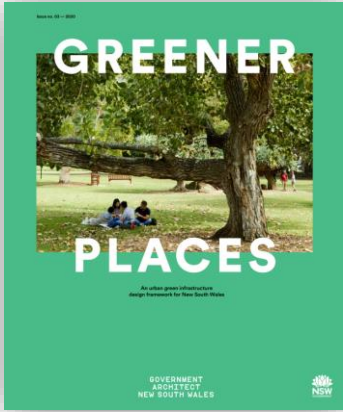
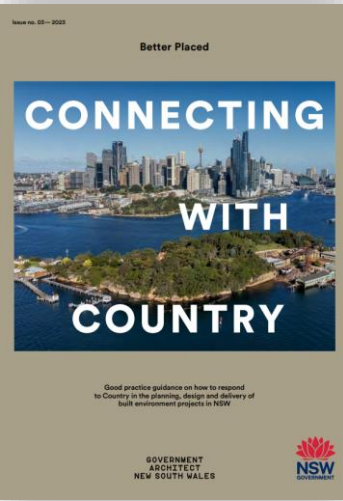
The strategy identifies Central Coast as one of the 12 centres. Transport Strategy has identified Fast Rail connections which will cut travel times by about 50%. Central Coast will benefit from the Fast Rail connections.

Better Placed



In August 2017, the Government Architect for NSW (GANSW) released Better Placed which seeks to establish priorities and objectives that shape design to create well-designed built environments. It presents a collection of priorities and objectives that aspire to shape design that addresses key challenges and directions and creates good design outcomes for NSW.

The built form of the proposal has been designed to respond to the seven objectives for good design identified in Better Placed. Refer to discussion provided in the Architectural Design Report at **Appendix C**.

Strategy or Plan	Response
Greener Places 	The 'Greener Places Design Framework' ('GP Framework') was prepared by the GANSW to provide guidance for the design, planning and implementation of green infrastructure in urban areas across NSW. The overarching intent for the GP Framework is to facilitate landscape outcomes that incorporate well-designed green infrastructure. Four principles for green infrastructure underpin the GP Framework. The proposed landscape design has delivered an outcome that reflects each principle as it relates to the site. This has been demonstrated by the landscape design documentation that has been provided at Appendix E.
Connecting with Country Framework 	The Connecting with Country Framework prepared by GANSW sets out a framework for understanding the value of Aboriginal knowledge and principles guiding the development of connections with Country, to inform the design and planning of places. The Draft Connecting with Country Framework includes the aim for all projects to adopt the following commitment: "Through our projects, we commit to helping support the health and wellbeing of Country by valuing, respecting, and being guided by Aboriginal people, who know that if we care for Country – it will care for us." The Connecting with Country Framework is informed by and reflects a wider context of debate and policy as well as academic research. The proposed development has distilled this pool of knowledge in response to the context of the site and this SSDA. Yerrabingin compiled a Designing with Country Framework report and the following collaborative themes have informed design development to date: ▪ Respecting water flows ▪ Informed by Country ▪ Caring for and learning from our elders Further discussion of how the design has been informed and integrated with Country is explained in the Connecting with Country Report at Appendix K.
Ageing Well in NSW: Seniors Strategy 2021-2031	Prepared by the NSW Government and approved in 2021 by former Minister for Seniors, this document sets out the NSW Government's ten-year plan to respond to the opportunities and challenges for the state's ageing population. Recognising that there are over 1.9 million seniors living in NSW, the strategy has four focus areas: ▪ Living in age-friendly environments ▪ Participating in inclusive communities ▪ Staying safe, active and healthy ▪ Being resilient and informed With action plans being developed every two years, the Ageing well in NSW Action Plan 2023-2024 released in January 2023 by the Departments of Communities and Justice outlines short-term priority actions.

Strategy or Plan	Response
	From a design perspective, the document calls for accessible environments that foster safe walking and cycling, the development of new social housing for seniors, and the finalisation of the Seniors Housing Design Guide.

3.5. STATUTORY CONTEXT

The amended proposal has been considered against the key statutory requirements relevant to the site including:

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**)
- *NSW Biodiversity Act 2016* (**BC Act**)
- *Environmental Planning and Assessment Act 1979* (**EP&A Act**)
- *Exhibited Animals Protection Act 1986* (**Animal Protection Act**)
- *NSW Roads Act 1973* (**Roads Act**)
- *NSW Rural Fires Act 1997* (**Fires Act**)
- *Environmental Planning Assessment Regulation 2021* (**the Regulations**)
- *State Environmental Planning Policy (Planning Systems) 2021* (**Planning Systems SEPP**)
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (**Biodiversity and Conservation SEPP**)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (**Resilience and Hazards SEPP**)
- *State Environmental Planning Policy (Sustainable Buildings) 2022* (**Sustainable Buildings SEPP**)
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (**Transport and Infrastructure SEPP**)
- *Central Coast Local Environmental Plan 2022* (**CCLEP**).

Table 10 categorises and summarises the relevant requirements in accordance with the DPE *State Significant Development Guidelines*. The amended proposal does not change the previous consideration of key statutory matters, including the power to grant consent, permissibility, other approvals, pre-conditions and mandatory considerations. The statutory compliance table that accompanied the EIS (refer *Appendix D*) remains applicable for the amended proposal.

3.5.1. Statutory Requirements

Table 10 Statutory Requirements Table

Statutory Relevance	Action
<i>Power to grant approval</i>	In accordance with Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021, development that has a CIV of more than \$20 million (now termed estimated development cost / 'EDC') for the purpose of seniors' housing that includes a RCF is classified as SSD. <i>28 Seniors Housing</i> <i>Development for the purposes of seniors housing if—</i> <i>(a) the seniors housing component has a capital investment value of—</i> <i>(i) for development on land in the Greater Sydney region—more than \$30 million, or</i> <i>(ii) otherwise—more than \$20 million, and</i> <i>(b) the seniors housing component includes a residential care facility, and</i> <i>(c) other components of the proposed development are not prohibited on the land under an environmental planning instrument.</i> The proposed works, as amended, have an estimated EDC of \$178,711,137 (original submission was \$172,450,460) (excl. GST). This costing estimate has been provided by an accredited quantity surveyor (and is attached). The proposed development is classified as SSD under Schedule 1 of the SEPP (Planning Systems) 2021.
Permissibility	Permissibility of the proposed seniors housing is pursuant to Section 81 of the Housing SEPP. Section 81 of the Housing SEPP permits the development of seniors housing in two ways: • on land to which Chapter 3 Part 5 of the Housing SEPP applies ((S.81(a)) or • on land on which seniors housing is permitted by another EPI, being CCLEP (S.81(b)). Overall, seniors housing is a permissible land use under both the SEPP and LEP. For avoidance of any doubt, this SSDA is seeking consent for the proposed development under the terms of the Housing SEPP. The assessment of permissibility was considered in the EIS. It is also noted that the works, the subject of the amended proposal relate to car parking, landscaping work, pedestrian crossing and pedestrian footpath on the RE2 zoned land. The works are proposed to assist in site wide vehicular and pedestrian movements across the site, primarily related to the athletics field users but also other club uses across the site. These works are considered as ancillary to 'Recreation facilities (outdoor)' and 'Registered club' land uses that are permissible on the land.

Statutory Relevance	Action
Other Approvals	
Biodiversity Conservation Act 2016	Clause 7.9 of the Biodiversity Conservation Act 2016 (BC Act) applies to SSD applications and requires SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless it is determined the proposal is not likely to have any significant impact on biodiversity values. The likely impacts of the proposed development on biodiversity values were assessed in the original BDAR. Given the additional works outside the original development area, an updated BDAR has been prepared for consideration by the BCS (refer Appendix M).

3.5.2. Pre conditions

Table 11 outlines the pre-conditions to exercising the power to grant approval which are relevant to the amended project and the section where these matters are addressed.

Table 11 Pre conditions

Statutory Reference	Pre-condition	Relevance	Section Reference
BC Act	In accordance with the BC Act, the assessment of an SSDA must consider biodiversity impacts. If a BDAR is required, Section 7.14 of the BC Act will require the consent authority to consider the likely impact of the proposed development on biodiversity values.	As above, the site of the amended project comprises vacant MRC land and internal roadway. This primary use for the site has been operational for some time associated with the athletics field and club. This SSDA is supported by a Amended BDAR.	Amended BDAR – Appendix M
SEPP (Resilience and Hazards) 2021	Under clause 4.6(1), a consent authority must be satisfied that the land is suitable in its contaminated state - or will be suitable, after remediation - for the purpose for which the development is proposed to be carried out.	The amended project is ancillary works. Potential sources of contamination exist at the site but are not expected to preclude the proposed development of the site A Preliminary Site Investigation ('PSI') has been submitted in support of this SSDA and remains relevant to the amended report.	Refer to Appendix V of the EIS
	The consent authority must be satisfied that:	Part of the MRC site is identified as 'coastal environmental area' pursuant to the R&H SEPP. However, the development area	

Statutory Reference	Pre-condition	Relevance	Section Reference
	c. Over the life of the works they will not either unreasonably limit or be likely to unreasonably limit public access to or the use of a beach or headland, or pose or be likely to pose a threat to public safety, and d. Satisfactory arrangements have been made for the following for the life of the works: v. The restoration of a beach, or land adjacent to the beach, if any increased erosion of the beach or adjacent land is caused by the presence of the works, vi. The maintenance of the works	is not mapped under these categories.	
SEPP (Transport and Infrastructure) 2021	Schedule 3 of the SEPP (Transport and Infrastructure) 2021 identifies traffic generating development that must be referred to Transport for NSW ('TfNSW').	The site is adjoined by a classified road under the Roads Act 1993 and the broader project is proposed to deliver more than 200 additional car parks at the site. The amended project incorporates 5 disabled car parking spaces for athletics field users. This SSDA was referred to TfNSW as traffic generating development.	Refer to Appendix R of the EIS A response to the submission received from TfNSW is provided in Section 2.4 of this report.
SEPP (Industry and Employment) 2021	SEPP (Industry and Employment) 2021 provides planning controls for advertising and signage in NSW.	No advertising or building identification signage is proposed. The signage provisions of the SEPP (Industry and Employment) 2021 are not relevant to this SSDA. Subject to further design development, separate signage	Not applicable.

Statutory Reference	Pre-condition	Relevance	Section Reference
		approvals will be sought as necessary.	

3.5.3. Mandatory Considerations

Table 12 outlines the relevant mandatory considerations to exercising the power to grant approval and the section where these matters are addressed within the EIS originally submitted and remain valid.

Table 12 Mandatory Considerations

Statutory Reference	Mandatory Consideration	Section in EIS (originally submitted)
Consideration under the EP&A Act and Regulation		
Section 1.3	Relevant objects of the EP&A Act	Appendix C
Section 4.15	Relevant environmental planning instruments	Section 6.1.17 and Appendix C, MM
	▪ R&H SEPP – Hazardous and Offensive Development	
	▪ R&H SEPP – Remediation of Land	Section 6.1.12 and Appendix C, V
	▪ T&I SEPP – Traffic Generating Development	Appendix C, R
	▪ B&C SEPP – Vegetation in non-rural areas	Appendix C, S
	▪ Housing SEPP	Appendix C, TT
	▪ CCLEP 2022	Appendix C
	▪ Relevant draft environmental planning instruments	Appendix C
	▪ Draft SEPP – Strategic Transport Corridors	
	Relevant planning agreement or draft planning agreement	N/A
	▪ None relevant to the proposed development	
	Development control plans	Appendix C
	▪ <i>Central Coast Development Control Plan 2022 (CCDCP 2022)</i>	
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	Section 6
	The suitability of the site for the development	Section 7.6
	The public interest	Section 7.7

Statutory Reference	Mandatory Consideration	Section in EIS (originally submitted)
Mandatory relevant considerations under EPIs		
R&H SEPP - clause 3.7	Departmental guidelines: ▪ Applying SEPP 33 (identify relevant requirements) ▪ HIPAP No.3 – Risk Assessment (identify relevant requirements) ▪ HIPAP No.12 – Hazards – related Conditions of Consent	Section 6.1.12 Appendix C Appendix MM
R&H SEPP - clause 4.6(1)	As the development will involve a change of use within an investigation area a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.	Section 6.1.12 Appendix C Appendix V
<i>T&I SEPP 2021</i> Traffic Generating Development	Schedule 3 of the SEPP (Transport and Infrastructure) 2021 identifies traffic generating development that must be referred to Transport for NSW (' TfNSW ').	Appendix C
<i>B&C SEPP 2021</i> Vegetation in non-rural areas	Clause 2.6 states a permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold. The BDAR states the proposed development does not trigger that threshold and therefore complies.	Appendix C Appendix S
CCLEP 2022	Objectives and land uses for RE2 Zone ▪ Part 4 – Principal development standards ▪ Part 5 – Miscellaneous provisions ▪ Part 7 – Additional local provisions	Appendix C
Considerations under other legislation		
BC Act – section 7.14	Under Section 7.14 of the BC Act, impacts to biodiversity values are required to be assessed by a BDAR. A BDAR is provided to support this SSDA to ensure any biodiversity values associated with the site are managed. As outlined at Section 6.1.9 of this EIS, this SSDA is supported by a BDAR.	Section 6.1.8 Appendix C Appendix S
Development Control Plan (Noting a DCP is NOT a mandatory consideration)		

Statutory Reference	Mandatory Consideration	Section in EIS (originally submitted)
CCDCP 2022	Clause 2.10 of the Planning Systems SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposal against the central Coast DCP 2022 for this SSDA. Notwithstanding this, consideration has been given to the following provisions: ▪ Part 2.13 Transport and Parking ▪ Part 2.14 Site Waste Management ▪ Part 3.1 Floodplain Management and Water Cycle Management ▪ Part 3.5 Tree and Vegetation Management	Appendix C

3.6. ASSESSMENT OF IMPACTS

As outlined in **Section 3.3**, the amended project includes works beyond the development site boundary to embellish the interface between the seniors housing and the athletics track, improve the main entrance and forecourt to the track, implement safety measures and accessible parking and provision of an accessible pedestrian pathway to connect to conveniently located car parking. The assessment of impacts is therefore limited to the changes which are primarily hard and soft landscaping to facilitate these amendments.

Due to the limited amendments, this response does not include updated mitigation measures to those that accompanied the EIS (November 2024). The mitigation measures for the Project are provided at **Appendix X** for ease of reference.

Parking provision, pedestrian connectivity and management of parking during athletics events is addressed in Part 1.

3.6.1. Biodiversity

A Biodiversity Development Assessment Report (**BDAR**) was prepared by Ecologique to identify and assess any biodiversity impacts associated with the development. This has been amended to incorporate the additional land and is attached to this RTS.

3.6.2. Trees and Landscaping

When compared to the exhibited scheme, the amended proposal embellishes the hard and soft landscaping components to the north of the development site which will benefit both the incoming seniors housing residents but also the users of the athletics track.

The existing interface is limited to worn grass and shrubs and offers limited opportunity for congregation or safe drop off via a car or bus. The existing environment is shown in the Images below.

Figure 10 Existing Athletics interface



Figure 11 Existing threshold crossing



Figure 12 Existing Footpath



The landscaped elements in the amended proposal are:

Soft:

- The amended project proposes the inclusion of ~7 additional trees located within the interface of the seniors housing and athletics track. These additional trees will be native and as such drought tolerant and appropriate for the context.
- The amended proposal comprises a larger percentage of landscaped area. The selected species are well suited to the local environment and of a reasonable pot size so as to provide immediate softening impact upon installation.
- Overall, the amended proposal maintains the considered site-wide landscaping strategy, although it has been refined to accommodate athletics interface and pedestrian connections.
- Further, the outlook from the proposed seniors housing development is improved by the provision of embellished hard and soft landscaping. Turf mounding and additional trees soften the edge to the seniors development.

Hard:

- The amended project proposes a more appropriate address to a regional sporting facility through the inclusion of a paved forecourt that can facilitate congregation of users/visitors as well as a safe drop off area.
- The proposed pathway to the Legends car park is proposed to be formalised and provide an accessible pathway connection, linking to the existing footpath and crossings as shown in Figures 11 and 12.

3.7. JUSTIFICATION OF AMENDED PROJECT

This section of the report provides a comprehensive evaluation of the amended proposal having regard to its economic, environmental and social impacts, including the principles of ecologically sustainable development.

In response to the limited amended project works and additional assessments undertaken, the following justification for Project remains largely consistent with Section 7 of the EIS (November 2024).

3.7.1. Project Design

The site location and design of the proposal has been carefully considered to ensure any potential impacts of the development are minimised, particularly having regard to the registered club-residential interface as well as the athletics field.

The proposal seeks to meet the objectives of the project through enabling a seniors housing development that responding to the community's needs and delivers a high standard of building quality and urban design. The proposed development will deliver 219 seniors living units in a range of 2-3 bedroom ILU configurations, in addition to 39 high care beds. The potential for any unacceptable adverse environmental impact has been avoided and appropriate mitigation measures have been identified that will manage identified impacts. Specifically, the following is noted:

- The layout and design of the proposal has been developed to maximise benefits on the public domain and provide enhancements to the interface with western easement. Ongoing vegetation management of this area will ensure a well maintained edge to the site through revegetation and rehabilitation, planted with indigenous species. Further embellishments are sought to the north of the site though additional turf mounding and tree planting in the Athletics track interface.
- The architecture incorporates a modern, attractive façade design with carefully considered articulation to provide a positive relationship to surrounding land uses.
- The proposal provides expansive landscape buffer to the drainage easement to the west and south. This is to enhance the planting and landscape outcomes of the Tumbi Umbi Retirement Village, whilst also improving visual amenity with the residential area to the west and south. The proposal includes extensive uplift in relation to landscaping and planting including native species to what is currently on site.

- The façade is of a high-quality design with the aim to act as a soft transition between the streetscape, registered club and residential development.
- The ILU apartments have been located to provide a smooth transition in built form towards the west, connecting with the villas, drainage easement and Glengara Retirement Village. The proposed development presents a massing strategy that does not result in any unacceptable reduction to solar or visual amenity. The visual analysis concluded that view impacts to the public and private domain are reasonable and supportable on visual impact grounds. The potential for significant and/or unacceptable visual change has been sufficiently mitigated by the urban context, including the vegetation buffer to the south and west and moderate trees along Wyong Road and other streetscape elements.
- The perceived bulk and height of the proposed development will not be inconsistent with the scale of the new hotel to the east and existing low density residential dwellings at the Glengara Retirement Village through a built form that transitions or steps down to the site boundaries. It has also been well-established that the proposed development will be complementary to the immediate local character form.
- There will be no unacceptable reduction to the privacy or solar access afforded to any residential occupant within the vicinity of the Tumby Umbi Retirement Village, nor any material impacts to private or public views as a result of the proposal.
- The ILU apartments address Mingara Drive and achieve a positive connection and welcoming aesthetic. The orientation means the communal residential activities and Village Heart are contained to the centre of the Tumby Umbi Retirement Village, and are screened from external neighbouring properties as well as other uses in the broader precinct including the registered club.
- The proposal acknowledges the adjoining Athletics track and the requirement for appropriate parking and safe pedestrian connections to the field. Hard and soft landscaped embellishments are incorporated to insure the interface between the seniors housing and athletics field is appropriate and enhanced as well as providing convenient located parking areas for the athletics users, accessed by a DDA compliant pedestrian connection.

3.7.2. Statutory Context

The proposed development has been assessed with regard to the matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act (EP&A Act)*. The relevant State and local environmental planning instruments were previously assessed in the EIS (November 2024) (*refer Section 4 and the accompanying Statutory Compliance Table*). The assessment concluded that the proposal complies with the relevant provisions within the relevant instruments as summarised below.

- The proposed development has been assessed and designed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 the Act
- Consideration is given to the relevant matters for consideration as required under the BC Act and the SSD is supported by an amended BDAR accordingly.
- This SSDA pathway has been undertaken in accordance with the Planning Systems SEPP as the proposed development is classified as SSD.
- This report has identified government referrals that will be required prior to the approval of this SSDA.
- The proposed development satisfies the relevant provisions of the CCLEP 2022 and the Housing SEPP.
- The proposal generally accords with the relevant provisions of the CCDCP 2022.

3.7.3. Consultation

As set out Section 2.4, feedback received during the public exhibition period has informed this response to submissions and the design refinements made to the proposal. Additional consultation has also been undertaken as outlined in **Section 2.2.1**. Given the limited additional works proposed in the amended project and as the substance of the amendments is responding to the submissions, a re-notification is not deemed necessary.

3.7.4. Likely Impacts of the Proposal

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below and largely reiterate those stated in the original EIS, given the minor nature of the amended project works:

- **Ecologically Sustainable Development (ESD):** the proposal addresses the principles of ESD in accordance with the requirements at Clause 194 of the Regulations and as outlined below:
 - Precautionary principle: the precautionary principle relates to uncertainty around potential environmental impacts and where a threat of serious or irreversible environmental damage exists, lack of scientific certainty should not be a reason for preventing measures to prevent environmental degradation. The proposal will not have any unacceptable environmental impact on drainage easement but rather improve this channel through revegetation and naturalisation. The proposal will not impact any Critically Endangered Ecological Community and the development will not result in any threat of serious environmental damage or degradation through the inclusion of a Vegetation Management Plan and amended BDAR.
 - Intergenerational equity: the needs of future generations are considered in decision making and that environmental values are maintained or improved for the benefit of future generations. The development represents sustainable development by making best use of the underutilised part of the Mingara Club site, proposing considered improvements and uplift to existing environmental values through landscape design and water quality and quantity management. The future incoming population will not adversely impact the environment for future generations as evident in the assessments of matters relevant to biodiversity, landscaping, water management that appropriate management and mitigation measures have been incorporated. The social profile for the area represents an aging demographic and this facility will cater for aging in place and this changing demographic.
 - Conservation of biological diversity and ecological integrity: The project seeks to improve and enhance the existing vegetation on the development area and the interface with the drainage easement to the western side of the proposed Tumbi Umbi Retirement Village. This is through increased tree planting onsite to achieve greater tree canopy, landscaped setbacks and planting integrated into communal spaces as well as a VMP ongoing. The VMP recommends a combination revegetation and rehabilitation. Assisted bushland regeneration shall be undertaken to rehabilitate the drainage easement, ensure conservation of biodiversity values, and provide habitat connectivity. The proposal will not have any unacceptable impacts on the conservation of biological diversity and ecological integrity.
 - Improved valuation, pricing and incentive mechanisms: this requires the holistic consideration of environmental resources that may be affected as a result of the development including air, water and the biological realm. It places a high importance on the economic cost to environmental impacts and places a value on waste generation and environmental degradation. The development will not have any unacceptable environmental impacts in relation to ecology, water quality or waste management. The effects of the development will be acceptable and managed accordingly by the proposed mitigation measures as required.

Overall, the proposal will not have any unacceptable impacts on the natural environment. The ESD report (*Appendix Q of the submitted EIS*) identifies a number of different sustainability initiatives including energy savings, energy efficiency, rainwater capture and reuse, improved thermal performance of the building fabric, and reduction in greenhouse gas emissions. It demonstrates the proposed development will meet best practice ESD outcomes, in which these initiatives will serve to provide residents with lower running costs, as well as benefits to the surrounding environment with an ecologically and economically sustainable development.
- **Built Environment:** the proposal has been assessed in relation to the following key built environment impacts:
 - Visual Impacts: As set out in **Section 6 of the submitted EIS** and the VIA, the proposed development is expected to generally create low/minor visual impacts including for people who experience direct views of the development from the residential dwellings on Thornbill Grove and Jabiru Way. Visual impacts will be significantly mitigated through the high-quality building design, as well as the proposed landscaping and extensive tree planting in the significant site setbacks.

- **Traffic and Parking Impacts:** As set out in **Section 6 of the submitted EIS** and the TAIA, the local road network will continue to perform at an acceptable level of service as a result of the proposed development and the proposal is not expected to result in any adverse impacts on the surrounding road network during operation. Car parking complies with the Housing SEPP requirements and there is sufficient existing on-site car parking in the immediate precinct (on Club land) to accommodate the athletics parking provision and managed through an Event Traffic Management Plan.
- **Trees and Landscaping:** As set out in **Section 6 of the submitted EIS**, the AIA and Landscape Plans, the proposal includes significant landscaped setbacks which is an improvement to the existing quality of the Tumbi Umbi Retirement Village. The proposed planting offsets exceeds the number of trees to be removed to achieve improved canopy cover targets. The proposal provides a significant landscaping uplift to the site, including native species, particularly in relationship to the public domain. There are notable improvements to the interface to the athletics track as well as pedestrian connectivity through the precinct.
- **Noise and Vibration:** As set out in **Section 6 of the submitted EIS** and the NIA, there is a 2dB increase in road traffic noise. This exceedance is not considered to be noticeable. It is assessed that noise impacts from construction traffic is unlikely to have an impact at the nearest affected properties.
- **Natural hazards:** As set out in **Section 6 of the submitted EIS** and the FIA, the proposed floor levels of the buildings demonstrate compliance with the flood planning level of the PMF flood level. The development is not impacted by the 1% AEP and PMF flood events, post development.
- **Social:** The Tumbi Umbi Retirement Village includes communal open spaces which are easily accessible and usable for the future community. A publicly accessible pathway and green space to the west of the Retirement Village provides a social benefit along with the enhancements to the forecourt to the athletics, through landscaping, seating, drop off zone and accessible parking. The social impact assessment prescribes high positive impacts in terms of community cohesion, social connection and provision of housing for older people and will align with the aging demographic profile.
- **Economic:** in the absence of detailed economic impact analysis, it is considered that the proposal will have positive social impacts by enabling employment generating uses to be delivered on site in the short-term (during construction), and then providing long term local employment ongoing opportunities (through the on site managers and staffing providing care to residents). Further the provision of seniors housing forms part of Mingara Recreation Club's economic diversity strategy providing a broader range of asset types and land uses which provide facilities and services to the membership base and broader community.
- **Cumulative impact** – The cumulative impact of the proposal has been considered in the proposal including traffic generation and parking, noise, social impact amongst others.
- **Future management** – Mitigation and management measures are prescribed and will be imposed by consent conditions as appropriate. An Operational Management Plan will apply to the site to ensure strategies regarding car parking management for example is appropriate to mitigate off site impacts and ensure equitable access to accessible parking for residents.

The potential impacts can be mitigated, minimised or managed through the measures discussed in detail within *Section 6 of the submitted EIS* and as summarised in the mitigation measures outlined in *Appendix D of the submitted EIS*.

3.7.5. Suitability of the Site

The suitability of the site to accommodate the proposed development has been assessed in detail in the preparation of the submitted EIS. This includes a comprehensive assessment of its consistency with the relevant strategic land use and transport policies and level of compliance with the statutory planning controls that apply to the site and the proposed development.

Each of the planning and technical specialist assessments have been further considered in assessing the suitability of the site to accommodate seniors housing development and works sought under the amended project. The site is considered highly suitable for the proposed development for the following reasons:

- **The proposal complements the character of development within the site and immediate locality.**

The proposed development is complementary to the objectives for the RE 2 Private Recreation Zone. Specifically, the proposed development is considered to present a positive outcome for the broader Mingara site that is in keeping with the existing registered club and surrounding low density residential dwellings.

- **The proposal will achieve residential uplift at an accessible location.**

The site is well-serviced by a range of high-frequency public transport options, including several bus stops located along Wyong Road and Mingara Drive. These public transport services provide a direct connection to the surrounding suburbs and are complemented by the applicant's private transport arrangements for site residents.

- **Existing open space assets and recreational facilities around the site will be leveraged.**

The site benefits from ready access to the recreation facilities provided at the Mingara Recreation Club.

- **Surrounding cultural and social infrastructure will support the proposed development.**

The established registered club-residential context for the site will support opportunities for senior residents to 'age in place' benefitting from ready access to a range of cultural and social infrastructure.

- **There is an identified need for housing options that allow residents to 'age in place'.**

The delivery of additional and diverse seniors' housing options responds to the demographic profile of Tumbi Umbi, where the elderly age bracket has experienced a population growth. It has been established that the proposed mix of ILUs and RCF beds will ensure the necessary level of care is available to residents without compromising lifestyle independence

- **The proposal will continue to provide appropriate, convenient and safe car parking and pedestrian access for all land uses in the Mingara precinct, including the Athletics track users**

3.7.6. Public Interest

The proposed development is considered to be in the public interest for the following reasons:

- **The proposal is anticipated by the local statutory and strategic planning frameworks.**

The proposal will support relevant state and local strategic plans, and generally complies with the relevant State and local planning controls.

- **Expansion of social facilities that cater and align to the incoming community as well as the local community.**

This SSDA will facilitate the expansion of a further diversified land use on the site and improving connectivity, through a public walkway, and amenity through embellished drainage channel to the benefit of the local community. It has been demonstrated that no unacceptable adverse environmental, social or economic impacts will arise from the proposed development.

Community engagement of key stakeholders have been undertaken in accordance with the Guidelines.

- **The proposal will address the aging demographic profile of Tumbi Umbi.**

As mentioned, the proposed delivery of diverse seniors' housing options responds to the evolving demographic profile of Tumbi Umbi.

- **Temporary and permanent employment opportunities will be created.**

Temporary and permanent employment opportunities will be generated during the construction and operational phases of the proposal.

- **The proposal will deliver high-quality public open space.**

The proposed communal gardens and communal open space at the village core present a meaningful public benefit to the local community.

Further hard and soft landscaping embellishments to the northern interface of the seniors housing as well as the forecourt to the athletics track will be of benefit the broader community

- **A program of public engagement that informs the submission of this SSDA.**

The issues identified during the stakeholder engagement have been addressed through the design of the proposed development, and appropriate mitigation where necessary. The minimum engagement requirements comply with the Undertaking Engagement Guidelines for State Significant Projects.

It can be concluded that on balance, the benefits of the proposal outweigh any adverse impacts and as such, the development is in the public interest.

The approval of this SSDA is recommended, subject to appropriate conditions of consent.

4. UPDATED PROJECT DESCRIPTION

As required in an amended project, this section provides an updated justification project description.

This SSDA seeks development consent for the development of seniors' housing at the site. This seniors' housing offering will consist of independent living units (**ILUs**) and residential aged care accommodation (**RCF**). Specifically, this SSDA application seeks approval for:

- Site establishment works, including minor excavation, tree removal and earthworks.
- Construction and operation of:
 - Thirteen (13) villa buildings, housing four (4) independent living units in each
 - Three (3) multi storey independent living unit (ILU) buildings of:
 - Building 1 – undercroft car parking, 5 levels of 2-bed and 3-bed ILUs
 - Building 3 - undercroft car parking, 6 levels of 2-bed and 3-bed ILUs
 - Building 4 - undercroft car parking, 5 levels of 2-bed and 3-bed ILUs
 - One (1) mixed high care suites and ILU building (Building 2) of:
 - Part undercroft car parking, part communal/amenities level at ground with 3 levels of high care suites and 3 levels of ILUs
 - The building will include communal facilities including a café, residential lounge, multi-function spaces, consultation/therapy rooms, and staff/admin areas.
- Provision of 219 x 2-bed and 3-bed independent living units and 39 high care suites (residential aged care)
- Total site GFA of 31,597.4sqm comprising:
 - Villas: 7,223.4sqm GFA
 - Building 1: 4,494.1sqm GFA
 - Building 2: 5,315.7sqm GFA
 - Building 3: 5,473.2sqm GFA
 - Building 4: 9,091.1sqm GFA
- Vehicle access will be provided via the existing road access from Wyong Road and via Mingara Drive. The site also accommodates a north-south internal shared access road and dedicated porte cochere in front of Building 2.
- Private, passive and communal open space, landscaping and perimeter and internal pedestrian pathways
- Subdivision of the land and two stage construction with some flexibility, followed by consolidation.
- Hard and soft landscaping embellishments to the interface between the seniors housing and the Athletics track as well as provision of 5 accessible parking spaces and safe and accessible pedestrian connections.

5. CONCLUSION

This combined Response to Submissions and Amendment Report has been prepared to address the matters raised by the DPHI, Council and other government agencies following the public exhibition of the SSD-63475709. In particular, key responses have been provided with regards to flooding, waste, built form, landscaping and precinct car parking management especially for athletics users.

Overall, the proposed development remains consistent with the strategic and statutory planning provisions which apply to the site. The potential environmental impacts arising from the proposed development have been comprehensively assessed and can be mitigated, minimised and/or managed to avoid unacceptable impacts to the site or the locality. All submissions have been thoroughly reviewed and responded to in this report and supporting documentation.

Accordingly, the site remains suitable for the proposed development and should be approved subject to appropriate conditions.

DISCLAIMER

This report is dated 19 June 2025 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Mingara Leisure Group (**Instructing Party**) for the purpose of Response to Submissions (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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