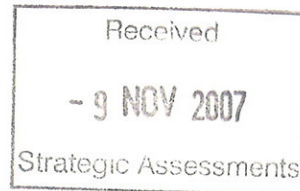


7 November 2007
Our Ref: 6532A.1DK

Director-General
Department of Planning
GPO Box 39
SYDNEY 2000



Dear Sir

**Request for Director-General Requirements for a Part 3A Project Application
Stockland's Retirement Living Village at Bayswood, Vincentia**

Please find enclosed a Preliminary Environmental Assessment Report for a proposed Project Application for Stockland's Retirement Living Village at Bayswood Vincentia.

The attached Preliminary Environmental Assessment Report is submitted to the Department of Planning under Part 3A of the Environmental Planning and Assessment Act to assist the Director-General in establishing the environmental assessment requirements for the preparation of the Project Application.

On behalf of Stockland Development Pty Ltd, we apply for the Director-General environmental assessment requirements for the Project.

Should you have any enquiries in relation to this matter, please contact David Kettle at Don Fox Planning on 9980 6933.

Yours faithfully
DON FOX PLANNING PTY LIMITED



**DAVID KETTLE
SENIOR TOWN PLANNER**

dkettle@donfoxplanning.com.au

enc

cc Bianca Harris
Development Manager – Retirement Living Development Division, Stockland



town planners



**Preliminary Environmental Assessment
Project Plan Application**

Stockland Retirement Living, Vincentia

Prepared for: Stockland
Project No: 6532A
Date: November 2007



Report for Project Plan Application
Vincentia, Housing For Older Australians

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Project Manager: David Kettle
Client: Stockland Developments Pty Limited
Project Number: 6532A

Document history and status

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1 Introduction

1.1 Background and Project Context

On 25 January 2007 the Minister for Planning granted Concept Plan approval and Project approval (subject to modification) under Part 3A of the EPA Act for:

- A 604 lot residential subdivision,
- A residential development for an adaptable housing area;
- Commercial development; and
- Environmental protection measures on the remaining land.

The approved product diversity plan included in the Preferred Project report identifies an area of land within the approved subdivision that *"may be the subject of a further project plan approval for adaptable housing for retirement living."* **Figure 1** is a copy of the approved product diversity plan which includes the notation.

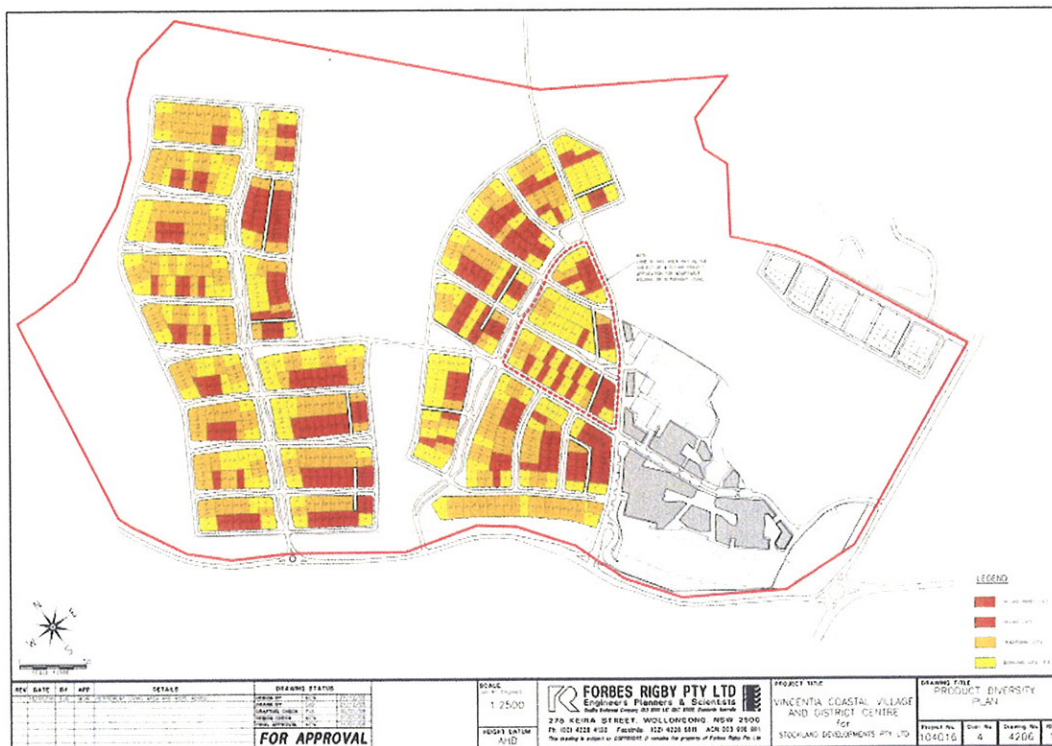


Figure 1 – Approved Product Diversity Plan with notation relating to subject site.

Subsequent to obtaining approval, Stockland consulted with the Australian Government Department of the Environment and Water Resources to establish the Environmental Zone for the site. A copy of Environmental Zone agreed upon is illustrated in **Figure 2**.

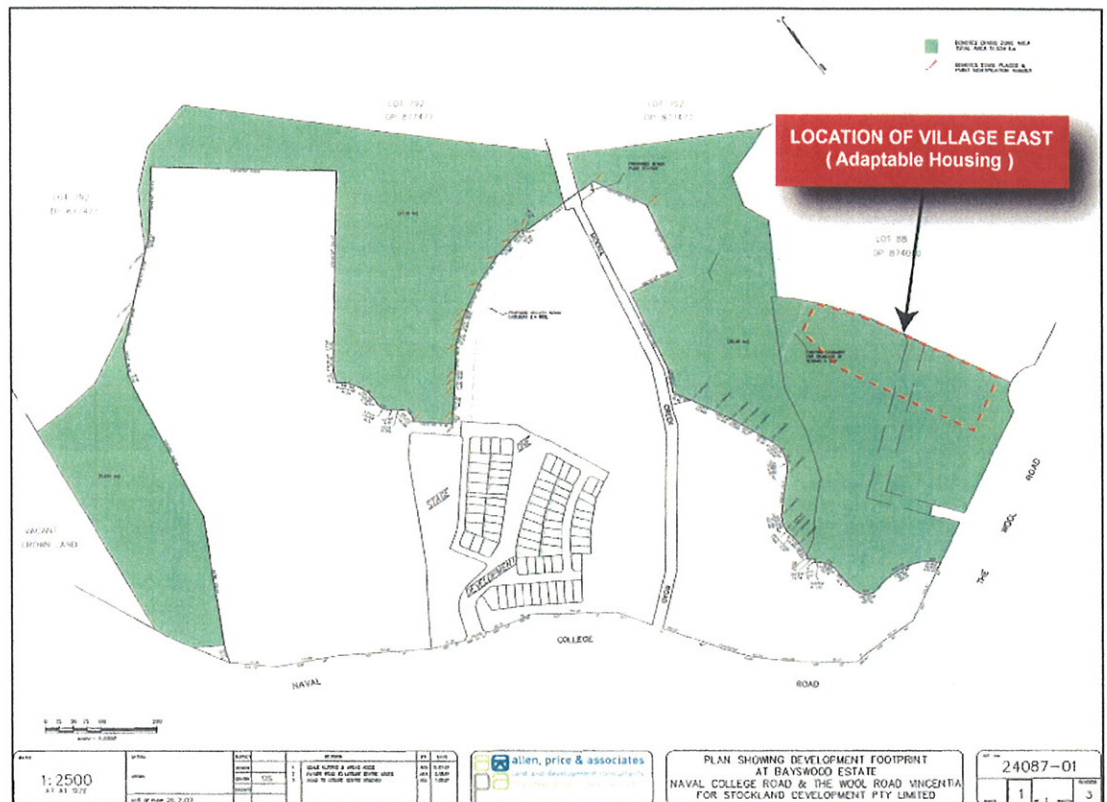


Figure 2 – Environmental Zone

Figure 2 illustrates that the Village East (adaptable housing) adjacent to the Bay and Basin Leisure Centre is located within the Environmental Zone. Accordingly it is proposed that the adaptable housing approved in Village East be transferred to Village West.

The modified Project application is largely consistent with the approved Concept Plan and Project approvals maintaining the residential use and requiring amendments to the subdivision layout and lot yield. The amendments will reduce the level of environmental assessment and consultation required with the main issues relating to bushfire planning, traffic and parking considerations and integration with the urban design of the approved Concept Plan and approved Project for subdivision. These assessment requirements are discussed further in this Preliminary Assessment.

1.2 Purpose of this Report

The purpose of this Report is to outline the nature of the Project and identify the environmental issues that will be relevant to the Project. The Preliminary Assessment has regard for the level of environmental investigation previously undertaken, during the preparation and assessment of the Concept Plan.

The Report is submitted to the DoP under Part 3A of the EP&A Act to assist the Director-General in establishing the environmental assessment requirements for the preparation of the Project application.

Terminology

The following terminology is adopted for describing the site and is used throughout this report: -

VCV&DC Vincentia Coastal Village and District Centre— being the area relating to both the concept plan and project approvals

The Village Stockland Retirement Living Village

1.3 The Proponent

Stockland Developments Pty Limited ("Stockland") is the proponent for the Project application.

2 The Site

2.1 Location

VCV & DC is located within Shoalhaven City Council and is approximately 2km from the Vincentia township.

2.2 Site Description

The Village has a total site area of 9.1ha. The location of The Village within the context of the VCV & DC is illustrated in **Figure 3**.

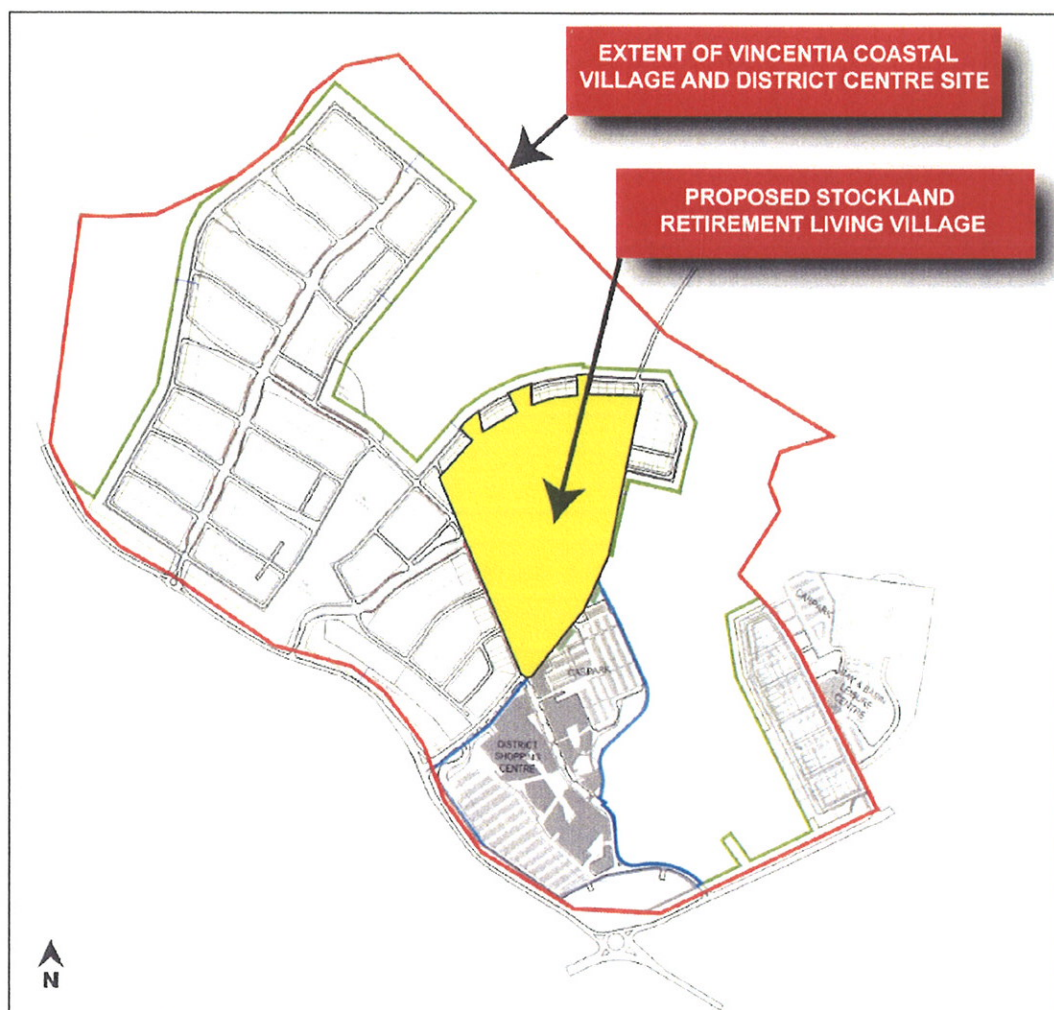


Figure 3 – Location of The Village within the VCV & DC.

The Village is contained within the footprint of the approved VC&VDC subdivision within the northern part of Village West opposite the District Centre. Moona Creek Road forms the eastern extent of The Village and the approved residential subdivision will adjoin the remainder of The Village.

3 Project Description

Details of the proposed Project and necessary modifications to the Concept Plan approval are detailed below.

3.1 Proposed Project

The Project will involve the creation of one super lot with an area of approximately 9.1ha upon which The Village will be sited.

The Village will comprise:

- a total of approximately 160 dwellings in the form of self contained dwellings;
- predominantly single storey dwellings with some two-storey dwellings;
- dwellings sited on their own allotments averaging approximately 300m²;
- dwellings designed to be adaptable;
- landscaping within The Village;
- a group of buildings forming a residential community centre within The Village incorporating residents only facilities such as reception and administration, dining and lounge rooms, entertainment auditorium, meeting rooms, community kitchen, library, computer facilities, medical consulting rooms, swimming pool, barbecue facilities, mail room/post room;
- private internal roads with carriageways varying from 4.3m to 6.5m in width depending on the internal road hierarchy;
- utility services (water, sewer, electricity etc) for each dwelling; and
- a manager's and nurse's residence within the village.

Each dwelling will be strata subdivided and have its own title however, Stockland will retain the title to the dwelling with the resident entering into a lease/loan arrangement.

The Concept Plan approved up to 604 residential lots and up to 136 adaptable dwellings adjacent to the Bay and Basin Leisure Centre. In total 740 dwellings have been approved within VC&VDC. The adaptable dwellings in Village East (adjacent to the Bay and Basin Leisure Centre) are proposed to be transferred to Village Central due to the extent of the Environmental Zone.

The approved number of lots within the subject area of The Village is approximately 133 and a total of approximately 160 seniors housing dwellings are proposed, being an increase of 27 dwellings. Taking into account the replacement of 133 approved residential lots, a total of approximately 631 dwellings (approved and proposed) will therefore be contained within the Village Central and Village West of the approved Concept and Project Plans being less than the total of 740 dwellings originally approved.

3.1.1 Building Design and Siting

The approved Environmental Assessment Report prepared by ERM contains design controls and requirements covering building setbacks, architectural form, architectural detail and landscape design. The principles and objectives behind these design controls will be taken into account in the preparation of the overall layout and dwelling design for the housing within The Village.

3.1.2 Access and Parking

In order to provide security and peace of mind for the residents, The Village will be a secure site with a combination of fencing, gates, buildings or landscaping forming the perimeter security.

One vehicular access point will be provided into The Village, with a secondary emergency vehicle access point. The internal road layout will vary from the approved road layout with narrower carriageway widths than the roads approved for the subdivision.

Each dwelling will be provided with its own driveway crossing. Each dwelling will contain either a single or double garage. Higher order roads will also accommodate further car parking. Provision will also be made for a dedicated caravan or RV parking area for use by residents.

All roads will be constructed, owned and maintained by Stockland.

3.1.3 Management and Facilities

A full time on-site manager will manage the day to day operation of The Village. A full time resident nurse will also be available to residents. A Support Services Statement for the proposal will be provided to address the management, financial/property tenure arrangements, staffing arrangements, availability and provision of support services, resident input, access to transport and access to facilities and services.

Facilities provided to residents within The Village will include the likes of a social program, co-op shop, village bus, hairdressing & beauty salon, religious services and mail room.

3.1.4 Form of Titling

Stockland proposes to maintain ownership of The Village. The tenancy of the dwellings will be by way of a loan/lease arrangement whereby Stockland grants a lease to occupy the dwelling. All lots will be strata subdivided to create individual titles, however Stockland will retain the title to all lots.

All common facilities, open space and roads will be owned by Stockland and maintained by the Resident Village Association (comprising resident and Stockland representatives). The residents will retain 70% of voting rights and Stockland the remaining 30%. The Residents Village Association will set the rules for The Village, appoints a manager and nurse, manages finances for the day to day operation of The Village with Stockland providing assistance where necessary, in effect operating in a similar manner to an Owners' Corporation of a strata plan.

3.1.5 Staging

The Village will be staged to occur after Stage 1 of the residential subdivision and concurrently with the district shopping centre.

The staging plan approved as part of the Part 3A application for VCV & DC will require amending.

Details of staging in relation to services and infrastructure will accompany the Project application.

3.2 Potential Modifications to Concept Plan

The Project as described above will require modifications to the Concept Plan and Project approvals, as set out in the following table:

Table of Modifications:

Clause of Concept Plan Approval	Proposed Modification
A2 (1) Residential Development (a) up to 604 lots	Amend to reduce lot yield to reflect residential lots substituted by The Village Include super lot for retirement living
A2 (2) Adaptable Housing adjacent to Leisure Centre (a) – no more than 136 dwellings (b) – internal road network (c) – access to The Wool Road	Amend to transfer dwelling entitlement to west village and delete (b) and (c)
A3 (1) – Plans and documentation	Plans need to be amended to suit (e.g. road layout and staging) Amended Preferred Project Report
A3 (2) - Statements of Commitment	Amendments required

Clause of Project Approval	Proposed Modification
A2 (f) – 604 residential lot subdivision	Amend to suit reduced lot yield to reflect residential lots substituted by The Village Include super lot for retirement living
A3 (1) – Plans and Documents	Plans need to be amended to suit (e.g. road layout and staging) Amended Preferred Project Report
A3 (2) – Statements of Commitment	Amendments required

Under section 75W(2) of the Act, *"the proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part."*

Stockland therefore seeks the Minister's opinion as to whether the modifications as outlined above are consistent with the existing approval, or if not to issue Director General Requirements for a modification of the Concept Plan and Project approvals as part of this request.

4 Statutory Matters

The legislation and planning instruments relevant to the site are itemised below. Many of these Acts and planning instruments have been addressed in the Environmental Assessment Report prepared by ERM inclusive of supporting documentation and approved as part of the Concept Plan and Project approvals under Part 3A of the EP&A Act.

4.1 Commonwealth Matters

4.1.1 Environment Protection and Biodiversity Conservation Act 1999

The approved Concept Plan and Project were supported by a Species Impact Statement (SIS) prepared by ERM that covered overall VCV & DC Site. Because Concept Plan and Project approval has been issued, and the proposed Village occupies the same footprint as the approved for housing, a further SIS is not considered necessary. The mitigation measures identified in the SIS will have application to the proposed Project application.

The Village will not encroach upon the Environmental Zone established by the Department of the Environment and Water Resources.

Due to the extent of the Environment Zone, the adaptable housing approved in Village East will be transferred to Village West adjoining the area of land identified for adaptable housing by way of the notation.

4.2 State Matters

4.2.1 Environmental Planning and Assessment Act

The Minister of Planning has issued an approval under Part 3A of the EP & A Act for the Concept Plan and a Project approval for the residential subdivision.

The approved product diversity plan included in the Preferred Project report identifies part of The Village as *"land in this area may be the subject of a further project plan approval for adaptable housing for retirement living."*

Section 75U of the EP&A Act does not require authorisations (approvals) under the following Acts:

- Coastal Protection Act, 1979
- Heritage Act 1977 (As Amended 1998)
- National Parks and Wildlife Act 1974
- Native Vegetation Act 2003
- Rivers and Foreshores Improvement Act 1948
- Rural Fires Act 1997
- Threatened Species Conservation Act 1995

The proposal occupies the same footprint as the *Approved Project*. The proposed Village will result in a similar residential and urban outcome as the housing that could be constructed on the approved residential lots. A reassessment of the proposal under the above Acts is therefore not necessary.

The Rural Fires Act, 1997 has specific provisions relating to '*special fire protection purposes*' which includes amongst other forms of development:

"(f) housing for older people or people with disabilities within the meaning of State Environmental Planning Policy No 5—Housing for Older People or People with a Disability, and

(h) a retirement village"

The proposal is of a similar nature to these forms of housing defined as "*special fire protection purposes*." The proposal will be assessed against the *Planning for Bushfire Protection Guidelines, 2006*.

4.2.2 State Environmental Planning Policy 2005 (Major Projects)

The SEPP (Major Projects) is the principal instrument for nominating projects of State or regional environmental planning significance and declared to be projects to be determined by the Minister under Part 3A of the Act.

On 16 December 2005, the VC & VDC was declared a Major Project to which Part 3A of the Act applies. The Concept Plan and Project Application Instrument of Approval establishes that a project or stages of the approved Project with a capital investment value of \$5 million or more are subject to Part 3A of the Act.

The subject proposal is therefore a development to which Part 3A of the Act applies.

4.2.3 State Environmental Planning Policy (Seniors Living) 2004 (SEPP SL)

The Project application will not be made under the provision of SEPP SL. However, the proposed housing will be designed to cater for occupants to 'age in place.' The EA will demonstrate how the site and the individual dwellings will be designed with regard to SEPP SL to achieve a high level of consistency with the SEPP and to ensure that the dwellings meet the likely requirements of future occupants.

4.2.4 State Environmental Planning Policy 11 – Traffic Generating Development

Schedule 2 of SEPP 11 is considered to have applicability in this instance. An assessment of the traffic and parking implications will be provided with the EA.

4.2.5 State Environmental Planning Policy 44 – Koala Habitat Protection

ERM in their Environmental Assessment report noted that *"From previous investigations documented in the Draft Land North of the Wool Road Vincentia, Hypothetical Residential Subdivision, Flora and Fauna Assessment, prepared by Gunninah Environmental Consultants in 2002 it was concluded that the site did not provide habitat for Koalas and that no koalas had been recorded there."* (ERM, 2006).

This situation has not changed and the proposed development will occupy the same footprint as the approved residential subdivision. Therefore further assessment is considered unnecessary.

4.2.6 State Environmental Planning Policy – Building Sustainability Index (BASIX) 2004

Under the Environmental Planning and Assessment Regulation 2000, the proposed dwellings are defined as *BASIX affected buildings*.

A BASIX Certificate will be prepared to confirm that the proposed dwellings achieve the minimum targets for water, thermal comfort and energy.

4.2.7 State Environmental Planning Policy 71 – Coastal Protection and NSW Coastal Design Guidelines

Under Part 3A of the Environmental Planning and Assessment Act, the Minister is not directly required to consider EPIs. Given the previous assessment of the Concept Plan against SEPP 71 and the Coastal Design Guidelines, no further assessment is required.

The EAR prepared by ERM dated February 2006 contains an assessment of the *Approved Project* against the provisions of SEPP 71, and specifically the matters for consideration under Clause 8 of SEPP 71.

The proposed Village occupies the same footprint as the approved residential subdivision. The mitigation measures proposed as part of the Statement of Commitments in the *Approved Project* will have application to the proposal.

Further assessment of the seniors housing under Clause 8 is therefore considered unnecessary in this instance.

However, an assessment of the proposed housing under the Coastal Design Guidelines for NSW will be prepared.

4.2.8 Jervis Bay Regional Environmental Plan (REP) 1996

The Jervis Bay REP aims to protect the natural values and species diversity of Jervis Bay while allowing for development that is compatible with this aim. It includes provisions to protect water quality, landscape attributes, cultural heritage, natural habitats, and identifies and provides for the acquisition of a future National Park. It also identifies opportunities for urban development and encourages appropriate tourism developments.

Under Part 3A of the EP & A Act, the Minister is not directly required to consider EPIs. However, Clauses 11–17 which set out the outcomes relating to catchment protection, landscape quality and new urban releases will be addressed.

4.3 Local Matters

4.3.1 Shoalhaven Local Environmental Plan (LEP) 1985

The Shoalhaven LEP is proposed to be amended by Schedule 3 of SEPP (Major Projects) in relation to the land use zonings applying to the land. Zone R1 – General Residential of the Standard Instrument (Local Environmental Plans) Order 2006 applies to the land identified for adaptable housing on the approved Part 3A application for the VCV & DC.

Seniors Living (including adaptable housing) is permissible development within the R1 zone proposed to apply to the land.

4.3.2 Development Control Plans and Local Policies.

Compliance with DCPs and local policies is not a statutory consideration under Part 3A of the EP&A Act. However, to justify the proposal and demonstrate the appropriateness, and consistency with Council's DCPs applicable to the proposal, an assessment of the proposal against the following DCPs and local policy documents will be prepared: -

- Shoalhaven Development Control Plan No. 18 – Car Parking Guidelines
- Shoalhaven Medium Density Housing Development Control Plan No. 71
- Shoalhaven Development Control Plan No. 78 – On-Site Sewage Management in Unsewered Areas
- DCP 93 Amendment No. 1 – Controls for Waste Minimisation and Management
- Shoalhaven Subdivision Development Control Plan 100 - Subdivision Code
- Jervis Bay Settlement Strategy
- South Coast Regional Strategy
- Shoalhaven Housing Strategy
- A Place of Aging – Social Impacts

Whilst the Minister will not be bound by these DCPs they will be reviewed to ensure local considerations are addressed where appropriate.

5 Environmental Impacts

The Concept Plan and Project approval processes have dealt with numerous environmental impact issues. The Village proposal will occupy the same footprint as the approved Concept Plan and Project approval reducing the level of environmental investigations required for this project. The assessments necessary are discussed below.

5.1 Traffic and Parking Impacts

Masson Wilson Twiney prepared a Transport Report dated January 2006 for the approved VCV & DC Part 3A application. A further assessment of the parking and traffic implications will be prepared for The Village to address traffic access requirements, traffic generation, internal road network design and car parking provision.

5.2 Bushfire Impacts

The site and its surrounds are currently undeveloped land with vegetation including woodland, sedgeland and heathland. There is a gentle slope from the south-west to the north-west across the whole of the VCV & DC site. The site and surrounding land is currently within bush fire prone land as certified by the Rural Fire Service (RFS) and mapped as vegetation category 1.

This existing environment and the bush fire prone land map will change with the redevelopment of the VCV & DC under the approved residential subdivision which will result in removal of vegetation and therefore alter the location of bush fire risk relative to the subject site.

A bushfire assessment will be prepared to determine appropriate asset protection zones, building construction standards, roads and access, emergency procedures, provision of utilities and staging of development having regard to the future occupants of the seniors housing. The bushfire assessment report will review the proposal against *Planning for Bushfire Protection 2006*.

5.3 Flora and Fauna Impacts

Because Concept Plan and Project approval has been given, and the proposed Village occupies the same footprint as that previously approved for housing, a further Species Impact Statement is not necessary. The Environmental Assessment report is to ensure consistency with the mitigation measures identified in the SIS.

5.4 Heritage and Aboriginal Archaeology

There are no items of environmental heritage listed in Schedule 7 of the City of Shoalhaven LEP 1985 within or in the vicinity of the subject site.

Aboriginal heritage has been assessed as part of the Approved Project. The findings of test excavations into areas of Potential Archaeological Deposits carried out as part of this assessment is documented in the Vincentia Master Plan Archaeological Test Excavation Report, February 2005, prepared by Mary Dallis, Dan Tuck and Emeritus Professor RVA Wright. The findings and recommendations of this report have been encompassed in Stockland's Statements of Commitment to the Approved Project. The Statements of Commitment will continue to apply to the proposed development for The Village.

5.5 Urban Design, Landscaping and Visual Impact

The design principles established in the EAR prepared by ERM and the Landscape Masterplan prepared by Clousten Associates will be reviewed in the development of the proposed Village to maintain consistency with the approved residential subdivision and the District Centre.

The Environmental Assessment Report will address the character of The Village and particularly its interface with the surrounding residential subdivision and the District Centre within the VCV & DC.

5.6 Utility Services and Infrastructure

Forbes Rigby Pty Ltd provided an assessment of the existing utilities and infrastructure for the approved Part 3A application for VCV & DC. That report concluded that sewer, water, electricity and telecommunications could serve the wider site. Forbes Rigby Pty Ltd also prepared water sensitive urban design (WSUD) measures for the VCV & DC site.

The Forbes Rigby report will be updated to align with the proposed Village development. The report will address utility services including water supply, sewer, electricity, gas and

telecommunications. The report will also address water sensitive urban design measure and water quality issues.

The issue of flooding that related to the Approved Project does not apply to The Village site and is not required to be addressed.

Staging will also be addressed in the context of utility services and infrastructure provision.

5.7 Social Impact

As part of the Part 3A application for VCV & DC, the application was supported by a *Social Impact Assessment, Final Report*, prepared by Elton Consulting. This provides an assessment of the social impacts likely to be generated by the proposed VCV & DC. The Report examined the existing population characteristics of the area including Vincentia (Area 3) and conducted population forecasts. Three main issues were identified, namely:

- Population impacts of the proposed development;
- Impact on local facilities and services; and
- Impact on the surrounding community.

The Environmental Assessment report for The Village will address the population impacts in comparison to the approved project, impact on local facilities and services, impacts on the surrounding community and provide an accessibility report to address the Disability Discrimination Act and Australian Standards AS 1428 and AS4299.

6 Conclusion

The level of assessment undertaken during for the Concept Plan and Project application has considerably reduced the need for further assessment of The Village Project application.

6.1 Statutory Assessments

The following environmental planning instruments are to be considered to maintain consistency with the previous assessment process:

- Rural Fires Act, 1997 to apply the principles in relation to *special fire protection purposes*.
- SEPP Major Projects.
- SEPP (Seniors Living) 2004 – to demonstrate consistency with the SEPP, although the proposal is not made under the provisions of SEPP SL.
- SEPP (BASIX).
- SEPP 71, but only in relation to consistency with the Coastal Design Guidelines.

6.2 Key Environmental Issues

The key environmental issues to be addressed in the Environmental Assessment for the subdivision that have been identified are:

- Traffic and parking impacts arising as a result of the amended road layout.
- Bushfire assessment report to address APZs, building construction standards, roads and access, emergency procedures and provision of utilities and staging. Assessment should be made against *Planning for Bushfire Protection 2006*.
- Urban design, landscaping and visual assessment and how the proposal will integrate with the surrounding approved development.

- Utility services and infrastructure provision
- Staging
- Social Impacts including impact on local facilities and an accessibility reports.

6.3 Statement of Commitments

The Environmental Assessment report will contain new Statements of Commitment relating to the Project. This, together with the statutory assessments and assessment of key issues identified above will provide an appropriate level of environmental assessment for the Project.