



C O N S U L T I N G

Environmental Impact Statement

Seniors Housing, TriCare Hastings Point

Prepared for TriCare (Hastings) Limited

By Planit Consulting Pty Ltd

C - December 2025

Job No: J8044

Revision History

Revision	Date	Prepared By	Reviewed By
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B	19/06/2025	Rachel Heath	Nadine Page (REAP)
C	11/12/2025	Rachel Heath	Luke Blandford

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Declaration

Project Details

Project Name:	TriCare Hastings Point
Application Number:	SSD- 41110128
Address of the land in respect of which the development application is made:	87-89 Tweed Coast Road, Hastings Point NSW 2489

Applicant Details

Applicant name	TriCare (Hastings) Limited
Applicant address:	250 Newnham Road, Mt Gravatt QLD 4122

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Declaration: The undersigned declares that this EIS:

- Has been prepared in accordance with Schedule 2 of the *Environmental Planning and Assessment Regulation 2021*;
- Contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;
- Does not contain information that is false or misleading;
- Addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;
- Identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;
- Has been prepared having regard to the Department's State Significant Development Guidelines – Preparing and Environmental Impact Statement;
- Contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development;
- Contains a consolidated description of the project in a single chapter of the EIS;
- Contains an accurate summary of the findings of any community engagement; and
- Contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.

Signature:



Date: 19 June 2025

Executive Summary

This Environmental Impact Statement (EIS) has been prepared by Planit Consulting on behalf of TriCare (Hastings) Limited in support of a State Significant Development (SSD) Application. The SSD Application seeks approval for the construction of a seniors housing development at 87-89 Tweed Coast Road, Hastings Point.

In accordance with Section 2.7, Schedule 1 of the *State Environmental Planning Policy (Planning Systems) 2021*, the proposal qualifies as a SSD for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act) due to it having an estimated development cost of greater than \$20 million and comprising both independent living and residential care.

Following a request for the issue of industry-specific Secretary's Environmental Assessment Requirements (SEARs), SEARs were issued on 20 April 2022. This EIS addresses the SEARs and has been made in accordance with the Department of Planning, Housing and Infrastructure (DPHI) SSD guidelines.

Project Overview

The proposed seniors housing development comprises both independent living units (ILUs) and a residential aged care (RAC) facility, that will be supported by a range of other services.

Specifically, the proposal includes a 47 bed RAC (Building D); and 51 ILUs split across 3 buildings (Building E, Building F and Building G).

Complimenting the ILUs and RAC, the development offers a range of communal facilities for entertainment, health, active and passive recreation. These facilities include:

- Bowling Green and pavilion with bowls store, amenities, kitchen and covered seating area;
- Indoor swimming pool and spa, with amenities and viewing area;
- Perimeter walking trail; and
- Landscaped gardens.

The proposed development will provide an important contribution towards seniors housing accommodation and care within the locality.

Subject Site

The proposal is located at 87-89 Tweed Coast Road, Hastings Point, within the Tweed Local Government Area (LGA).

The site has a single frontage to Tweed Coast Road (163.9m) and a total site area of 37,970m².

The site is currently improved by 'Stage 1' of a senior housing development that was approved in May 2007. Stage 1 was completed in 2009 and comprises 91 ILUs across 3 buildings, each with basement car parking. There are currently 132 residents and 6 staff utilising Stage 1.

The 2007 development approval provides for the delivery of more seniors housing at the site, including 94 supported living units and 67 RAC beds across 4 buildings. Despite the development consent for these remaining stages still being valid, these subsequent stages have not been built. The land approved for these final stages sits west of the existing Stage 1 and remains vacant and predominantly grass land. It is this land that is subject to this EIS and SSD Application.

TriCare purchased the site in 2011, after the delivery and occupation of Stage 1 and has been operating the facility since. TriCare has reviewed the balance of the approved development and concluded that the approved design no longer responds to contemporary seniors living needs and requirements, including but not limited to:

- The quality of accommodation;
- Allowance for lifestyle amenity;
- Provision of greater passive and active communal spaces; and
- The support and encouragement of age in place principles.

The approved development would not satisfy contemporary design guidelines and housing standards, falls short of achieving minimal aging in place design initiatives and expectations for

residential amenity, such as sunlight access, and may not satisfy National Construction Code (NCC) requirements.

It is for these reasons that TriCare is pursuing an alternative design response to deliver much needed seniors housing accommodation over the remaining vacant land within their site.

Strategic Context

The proposal will deliver high-quality, purpose-built housing to meet the needs and lifestyles of ageing Australia. The proposal addresses many of the key findings of the *Royal Commission into Aged Care Quality and Safety* and addresses the shift in many Australians now wanting to be assisted to age within the community they live.

The project has strategic importance, providing a supply of ILUs and RAC beds within the Tweed Shire LGA and upon residential zoned land. The proposal also meets the requirements of the following strategic plans, policies and guidelines as further detailed within **Section 2** of this EIS report:

- Housing 2041: NSW Housing Strategy;
- Ageing Well in NSW: Seniors Strategy 2021–2031;
- A 20-year Economic Vision for Regional NSW;
- North Coast Regional Plan 2041;
- Tweed Regional Economic Development Strategy 2023 Update;
- Tweed Local Strategic Planning Statement;
- Tweed Urban and Employment Land Release Strategy 2009;
- Tweed Community Strategic Plan 2017-2027; and
- Hastings Point Locality Based Development Code - Tweed Development Control Plan Section B23.

Statutory Context

Section 4 of this EIS demonstrates the proposed development is consistent with the relevant statutory framework. In summary:

- *Permissibility*: Seniors housing is a permissible land use under the R1 General Residential zone in the *Tweed Local Environmental Plan 2014* and *State Environmental Planning Policy (Housing) 2021*.
- *Environmental Planning Instruments*:
 - *State Environmental Planning Policy (Biodiversity and Conservation) 2021*: The proposal includes a Biodiversity Development Assessment Report (BDAR) and Koala Habitat Assessment.
 - *State Environmental Planning Policy (Housing) 2021*: The development complies with all relevant controls under Chapter 3, Part 5, including site requirements, fire sprinklers, and accessibility.
 - *State Environmental Planning Policy (Sustainable Buildings) 2022*: Achieves BASIX requirements and incorporates Ecologically Sustainable Development principles such as passive solar design and solar panels.
 - *State Environmental Planning Policy (Resilience and Hazards) 2021*: Avoids direct impact to mapped Coastal Wetlands, provides considered and compatible development within the coastal zone and is upon land that does not require remediation.
 - *Tweed Local Environmental Plan 2014*: Complies with all numerical standard provisions, except for a variation to building height (Clause 4.3). The variation to building height can be supported under Clause 4.6 of the Tweed LEP 2014, on the basis:
 - Consistency with existing and previously approved development at the site.
 - Design achieves objectives of Clause 4.3, mitigating overshadowing and visual impacts via setbacks, siting, orientation and existing vegetation that screens the site.
 - Enforced compliance would reduce housing supply and compromise communal amenity, affordability, and site efficiency.
 - Clause 4.6 Variation Request submitted and justified on environmental planning grounds.
- *Tweed Development Control Plan (DCP) 2008*: Though not binding for SSD, the proposal aligns with key DCP standards and objectives (site access, flood resilience, stormwater management, ecological protection, car parking, biting insect management).

Engagement

The project has been subject to State and Local Government agency input, Aboriginal cultural heritage engagement and community consultation.

Section 5 of this EIS outlines the key matters raised during the various stakeholder engagement processes.

All stakeholders, other than Tweed Shire Council, highlighted perceived environmental impacts though did not oppose to the proposed design and land use outcomes. Tweed Shire Council highlighted perceived environmental impacts though also indicated it could not support the proposal due to the scale of the development being out of character for the site and area. This is despite the proposal being the same bulk and scale of development as the existing Stage 1 development and approved remaining stages of development and being completely out of view from the public domain.

Notwithstanding, several detailed environmental impact assessments have been prepared to qualify and quantify the proposal's potential to impact on environmental resources. This includes multiple years of groundwater modelling, targeted ecological surveys, extensive contamination testing as well as onsite noise, traffic, biting insect assessments and notably, visual impact assessment.

SEARs Assessment

This EIS provides an assessment of the environmental impacts of the proposed development in accordance with the SEARs and identifies the mitigation measures required to either eliminate or minimise potential negative impacts.

Section 6 of this EIS report provides a comprehensive summary of the significant specialist reports and plans that were undertaken to assess the potential environmental impacts, addressing all items listed under the SEARs. As detailed within the assessment, the potential impacts have been appropriately minimised and managed.

Justification

This EIS provides a comprehensive assessment of the proposed development and concludes that it is worthy of support. Of note:

- The land proposed to be developed is a large vacant area, which has a historical and active development approval for accommodating seniors housing development.
- The proposal seeks to extend the existing seniors housing development at the site over this vacant area, though with a housing product that meets contemporary seniors housing and living design standards as well as contemporary servicing requirements.
- Detailed specialist environmental assessment has been undertaken over this site, to inform the proposal and confirms that the land remains suitable for seniors housing development.
- The potential impacts during construction and operation of the project have been identified and minimised via the various specialist reports, plans and proposed management strategies. Of note, technical reporting has confirmed that the proposal does not generate any increased risk to environmental values and resources above what has previously been approved at the site. In most instances, the reporting has indicated that the proposal provides similar or better environmental responses. This is particularly relevant to ecological and water resources, human safety and bushfire risk management.
- The proposal appropriately addresses all strategic and statutory considerations including all matters identified with the SEARs.
- The proposed built form is of a high architectural standard, benefitting existing and new residents and visitors while also being out of sight from the public domain.
- The proposal responds to State Design Review Panel feedback and best practice principles such as the Apartment Design Guide.
- The project represents a significant contribution of seniors accommodation as well as investment in terms of jobs and monetary injections into the local area during construction and operation of the project.

Based on a balanced assessment of the proposal in the context of the site and locality, the proposal is considered worthy of support. This EIS demonstrates that the proposal has significant benefits to the Tweed Shire and existing Tricare Hastings Point community and therefore warrants approval.

1 Introduction

This Environmental Impact Statement (EIS) is submitted to the Department of Planning, Housing and Infrastructure (DPHI) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in support of the proposed seniors housing development at 87-89 Tweed Coast Road, Hastings Point.

The proposed development is State Significant Development (SSD) pursuant to Section 28, Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* as:

- the development is for seniors housing,
- includes a residential care facility, and
- has an estimated development cost of more than \$20 million.

This EIS report has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Part 8, Division 5 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and the *State Significant Development Guidelines 2022*. This EIS also addresses the industry specific SEARs for Senior Housing that have been issued for this project.

This EIS has been prepared by Planit Consulting on behalf of TriCare (Hastings) Limited to inform all relevant stakeholders about the proposed development including its social, economic and environmental impacts, benefits and proposed mitigation measures.

1.1 Application Details

1.1.1 The Applicant

The details of the applicant for this SSD Application are summarised in **Table 1-1**.

Table 1-1 | Applicants Details

Subject	Details
Applicant Name	TriCare (Hastings) Limited
Address	250 Newnham Road, Mt Gravatt QLD 4122
Contact Details	(07) 3360 9000
ABN	73 149 304 521

TriCare is one of the leading seniors living providers in Australia. Proudly family-owned and operated, TriCare has been providing residential aged care, supported living and independent living options for older Australians for over 50 years.

TriCare currently operates 24 aged care residences and retirement communities across Queensland (QLD), NSW and Victoria (VIC).

TriCare's purpose is to empower and support seniors by providing vibrant retirement communities and residential aged care solutions to enable them to live their best lives. This is extended through offering services to promote health, wellbeing and connection, in welcoming settings.

1.2 Introduction to the Site and its Regional Setting

The TriCare Hastings Point site is located at 87-89 Tweed Coast Road, Hastings Point (Lot 1 DP 786570). Hastings Point is a low-scale coastal settlement, which provides a range of recreational, holiday and residential opportunities. The site is located at the south of Hastings Point.

The 37,390m² site comprises the existing TriCare Hastings Point Seniors Housing Development. This site and development fronts Tweed Coast Road to the east. East of this roadway is dunal foreshore and the New South Wales (NSW) Coastline. West of the site is Cudgera Creek. North-west and south of the site is conservation land, identified as the Pottsville Environmental Park. An existing service station adjoins the site's south-east. Single homes adjoin the site to the north.

The subject site within the broader locality is shown in **Figure 1-1** and **Figure 1-2**.

Greater detail of the site and the regional context is provided within **Section 2** of this EIS.



Figure 1-1 | Identification of the Subject Site



Figure 1-2 | Broader Locality Plan (Source: Nearmap)

1.3 Background to the Proposal

As noted above, the TriCare Hastings Point site is currently improved by seniors housing. This includes Stage 1 of a seniors housing development that was approved in May 2007 and completed construction in 2009 by another housing provider.

The 2007 development approval provides for the delivery of the final stages of the approved seniors housing development, which include 94 supported living units and 67 RAC beds across 4 buildings. Despite a valid consent, these subsequent stages have not been built. The land approved for these final stages sits west of the existing Stage 1. This land is vacant and predominantly grass. It is this land that is subject to this EIS and SSD Application.

TriCare purchased the site in 2011, after the delivery and occupation of Stage 1 and has been operating the facility since. There are currently 132 residents and 6 staff occupying Stage 1.

TriCare has reviewed the balance of the approved development and concluded that the approved design no longer responds to the contemporary vision of seniors living needs and requirements, including but not limited to:

- The quality of accommodation;
- Allowance for lifestyle amenity;
- Provision of greater passive and active communal spaces; and
- The support and encouragement of age in place principles.

The approved development would not satisfy contemporary design guidelines and housing standards, falls short of achieving minimal aging in place design initiatives and expectations for residential amenity, such as sunlight access, and may not satisfy National Construction Code (NCC) requirements.

It is for these reasons that TriCare is pursuing an alternative design response to deliver the approved subsequent development stages.

1.4 Overview of the Proposed Development

The proposed development includes both independent living units (ILUs) and a residential aged care (RAC) home, that will be supported by a range of other services.

Specifically, the proposal includes:

- A 47 place RAC (Building D) comprising:
 - individual private rooms with ensuite facilities;
 - shared dining, lounge and sitting rooms;
 - café;
 - kitchen;
 - serveries;
 - nurses stations;
 - offices;
 - staff room and facilities;
 - waste room; and
 - loading bay.
- 51 ILUs split across 3 buildings, including:
 - 24 ILUs in Building E
 - 18 ILUs in Building F
 - 9 ILUs in Building G.

Complimenting the ILUs and RAC, the development offers a range of communal facilities for entertainment, health, active and passive recreation. These facilities include:

- Bowling Green and pavilion with bowls store, amenities, kitchen and covered seating area;
- Indoor swimming pool and spa, with amenities and viewing area;
- Perimeter walking trail; and
- Landscaped gardens.

The proposed development will provide an important contribution toward seniors accommodation provision and care within the locality.

No changes to the existing Stage 1 development are proposed.

1.5 Objectives of the Development

The proposal seeks to extend the existing community at the site, logically and orderly, offering an alternative format to the current consent that better aligns with current best practices and care requirements.

The proposed development is guided by a series of project objectives that aim to deliver high-quality seniors' accommodation and associated facilities while ensuring sustainability, inclusivity, and responsiveness to community needs.

The objectives of the proposed development include:

- Delivering a contemporary, logical and orderly extension to the existing offering of seniors housing and supporting services at the site.
- Providing spacious and comfortably proportioned residences consistent with Tricare's high standard of living choices and reflecting modern day standards for seniors living.
- Creating well-considered, inclusive, high amenity places and recreational amenities to optimise community interaction, prioritise wellbeing and promote an active lifestyle for residents.
- Incorporating sustainable design interventions that promote leading design, excellence and innovation in seniors' living.
- Retaining and enhancing biodiversity across the site to ensure a nature positive outcome through considered and diverse landscaping with an emphasis on indigenous species and local provenance.
- Responding to the aging demographic profile of Tweed Shire, evolving industry trends, and the strategic planning theme of 'aging in place'.
- Reflecting the outcomes of work and engagement undertaken with First Nations people to achieve a design outcome that is grounded in Country.

1.6 Secretary's Requirements

The Secretary of the Department of Planning, Housing and Infrastructure (DPHI) issued the requirements for the preparation of the EIS on 15 August 2022 in accordance with Section 4.39 of the EP&A Act. An extension was subsequently requested and granted to extend the SEARs until 30 June 2025. A further extension has since been requested to extend the SEARs until 19 December 2025.

Following a preliminary review of the proposed development, DPHI confirmed that the industry-specific SEARs for seniors housing apply to the proposed development.

A table summarising the individual matters listed in the SEARs, to identify where each of these requirements have been addressed in this EIS is provided as **Appendix AO**.

2 Strategic Context

2.1 Strategic Overview and Justification

The NSW strategic planning framework and planning policy all advocate for the delivery of homes to meet NSW's housing needs. Aged care and retirement living is of key importance under this agenda, acknowledging the State's increased ageing population and lack of safe and suitable housing for elderly people.

The proposed development has been pursued conscious of this comprehensive strategic framework, and its delivery will be a significant achievement to the respective objectives and goals of the various plans and strategies. This framework includes:

- Housing 2041: NSW Housing Strategy;
- Ageing Well in NSW: Seniors Strategy 2021–2031;
- A 20-year Economic Vision for Regional NSW;
- North Coast Regional Plan 2041;
- Tweed Regional Economic Development Strategy 2023 Update;
- Tweed Local Strategic Planning Statement;
- Tweed Urban and Employment Land Release Strategy 2009;
- Tweed Community Strategic Plan 2017–2027; and
- Hastings Point Locality Based Development Code - Tweed Development Control Plan Section B23.

These layers of strategic planning provide the necessary guidance to the overall proposal. These policies complement one another and share the vision for providing aged care and seniors housing. They also explore the critical need for ageing in place and the importance of job creation, both of which the proposal will contribute to at a local and regional level. The proposal's response to each policy and plan is explored below.

2.2 Relevant Plans

2.2.1 Housing 2041: NSW Housing Strategy

Housing 2041 sets the NSW Government's vision and goals for improving housing delivery over the next 20 years. It seeks to foster partnerships between Government, the private development industry and communities to:

- Guide housing in the right locations;
- Deliver housing that will suit the needs of communities; and
- Create homes, not just housing.

Specific to the proposed development, Housing 2041 recognises ageing of the population in Regional NSW and the significant need for housing to meet the needs, aspirations and lifestyles of this growing elderly population.

The proposed development responds to the objectives of Housing 2041, demonstrated through the following achievements:

- Significant investment in the delivery of seniors housing, to help meet current housing demands and challenges;
- Responding to an improved planning framework and planning assessment process that seeks to streamline the delivery of seniors housing;
- Implementing current planning and design standards that support seniors' needs, climate resilience, adaptability and broader best practice urban design principles; and
- Promoting housing that is strategically planned, and located where people want to live, both now and in the future.

The proposal will provide an additional 51 ILUs and a 47-bedroom RAC facility to complement the existing 91 ILUs onsite, which represent a significant contribution to the availability and diversity of housing within the Hastings Point area and Tweed LGA. This significantly assists towards meeting

the diverse housing needs of the ageing community. The development also allows for ageing in place which aligns with the ability for residents to be in independent care, have increased care in the ILUs as required, and then if required, transition to a higher care option on the same site. This enhances sense of place and reduces stress of displacement.

2.2.2 Ageing Well in NSW: Seniors Strategy 2021-2031

Ageing Well in NSW: Seniors Strategy 2021–2031 is the NSW Government's broader acknowledgement of NSW's older people and the Government's support and commitment to this demographic.

The Strategy's vision is that all people in NSW experience the benefits of living longer and enjoy opportunities to participate in, contribute to and be included in their communities.

The NSW Government has identified the following 4 focus areas as the cornerstones for the actions that can make a difference for older people across the State:

- Living in age-friendly environments;
- Participating in inclusive communities;
- Staying safe, active and healthy; and
- Being resilient and informed.

The delivery of the proposed development will exemplify these commitments, through:

- Provision of housing that reflects older person's needs, preferences, lifestyles and expectations;
- Helping elderly independence;
- Encouraging social participation and inclusion given the development provides an extension of existing accommodation and services provided on the site;
- Supporting physical health and wellbeing by incorporating additional services and facilities such as an indoor swimming pool and spa, bowling green and pavilion and landscaped outdoor open spaces;
- Incorporating a range of CPTED measures are proposed to discourage antisocial behaviour across the site and promote resident safety.

2.2.3 A 20 year Economic Vision for Regional NSW

In considering 'A 20-year Economic Vision for Regional NSW', the subject site is positioned within the Tweed Functional Economic Region. This Economic Region is identified with a 'metro satellite' role in conjunction with the South East Queensland (SEQ) urban conurbation.

A 20-year Economic Vision for Regional NSW indicates that the State's metro satellites will transform from satellite areas of bigger cities, to become major hubs in their own right. Accordingly, supply and attraction of population growth, housing and lifestyle opportunities are essential.

A 20-year Economic Vision for Regional NSW also acknowledges the key employing industry of the metro satellites, which is health care and social assistance. Projected to have almost 25,000 more jobs between now and 2038, A 20-year Economic Vision for Regional NSW identifies healthcare and social assistance economies and growth will be particularly apparent in areas such as Tweed, where growing populations of retirees will generate demand for health and lifestyle services.

The investment and delivery of the proposed development will provide meaningful and positive contributions towards the evolution of the Tweed Functional Economic Region into a stronger economic centre. It will capitalise on the strategic opportunities afforded to the site, locality and wider subregion.

2.2.4 North Coast Regional Plan 2041

The NSW Government's vision for the North Coast is to maintain and create healthy and thriving communities that are supported by a vibrant and dynamic economy. This vision is embodied through goals and objectives specified under the North Coast Regional Plan 2041.

Goal 1 of the North Coast Regional Plan 2041 is specific to maintaining and delivering liveable, sustainable and resilient communities. The proposed development achieves the Objectives for Goal 1 under the North Coast Regional Plan 2041 through the following:

- Objective 1 - Provide well located homes.
 - The proposed development delivers greater housing supply, making a positive contribution towards achieving housing targets established for the Tweed LGA;
 - The proposed development increases housing diversity and lifestyle choice for seniors; and
 - The proposed development pursues housing density in the right location, providing a logical extension of the existing TriCare Hastings Point retirement community.
- Objective 2 – Provide for more affordable and low cost housing.
 - The proposed development represents significant input to dedicated seniors housing into the market, with an additional 51 ILUs, and 47 dedicated aged care beds.
- Objective 3 – Protect regional biodiversity and areas of high environmental value
 - Ecological values are protected by siting the development on cleared land centrally to the site; and
 - The proposal mitigates any residual ecological impacts through the application of offset credits.
- Objective 4 – Understand, celebrate and integrate Aboriginal culture
 - Connection to Country has guided the proposal's form, layout, palettes and landscape design.
- Objective 5 – Manage and improve resilience to shocks and stresses, natural hazards and climate change.
 - The development incorporates sustainable, eco-friendly designs to help seniors adapt to climate change, such as energy-efficient housing, water-saving technologies, and green spaces that contribute to a healthier environment;
 - Buildings incorporate low maintenance and long life, durable materials;
 - All building footprints are oriented north to north-west, providing direct solar access; and
 - Natural cross ventilation is achieved to all units.
- Objective 7 Promote renewable energy
 - An integrated approach towards ecological sustainability has been pursued through the form and composition of housing, landscaping and open space at the site, as well as additional initiatives that will help ensure important energy reduction targets are met.
- Objective 9 – Sustainably manage and conserve water resources
 - Incorporation of water sensitive urban design principles

Goal 3 of the North Coast Regional Plan 2041 directs change and growth based on the natural attributes of the Region, to boost prosperity, while enhancing and protecting the Regions' environment and character. The proposed development achieves the Objectives for Goal 3 under the North Coast Regional Plan 2041 through the following:

- Objective 18 – Plan for sustainable communities.
 - The proposed development constitutes 'planned' development given:
 - It provides new housing opportunity for seniors within the Urban Growth Boundary; and
 - The outcomes are encouraged and enabled through State and Local planning policy.
- Objective 20 Celebrate Local Character.
 - Design, landscape and connect to country.
 - The proposal incorporates significant setbacks along the northern, southern and western boundaries and respecting the natural and ecological values of the adjoining landscape.

Within Goal 3, the North Coast Regional Plan 2041 prescribes Local Government Narratives, highlighting key priorities for the local government areas within the North Coast. The planning and delivery of the proposed development aligns with the priorities set for the Tweed through:

- Supporting growth across the LGA;

- Supporting environmentally sustainable development that is responsive to natural hazards;
- Enhancing housing diversity by increasing housing density in the centres and encouraging a range of housing products; and
- Delivering housing across the LGA to meet impending growth from SEQ.

The proposed development is consistent with the goals and objectives of the North Coast Regional Plan.

2.2.5 Tweed Regional Economic Development Strategy 2023 Update

Bridging the NSW Government's 20-year Economic Vision for Regional NSW is the Tweed Regional Economic Development Strategy 2018-2022 (REDS), prepared by NSW Department of Premier and Cabinet, and the subsequent 2023 Update, prepared by Department of Regional NSW.

The 2018 - 2022 REDS details a number of key provisions, including:

- A vision to provide high quality services, products and experiences amidst a remarkable natural environment, vibrant population centres and close integration with SEQ;
- Acknowledgement that Tweed Shire's key endowments lie in its access to SEQ and other adjoining Regions; excellent infrastructure and services, including the Tweed Valley Hospital; and spectacular natural environment and cultural heritage;
- Tweed Shire's specialised economic precincts and activities as a key strategic imperative; and
- Acknowledgement of a 'risk premium' to development and entrepreneurship, curtailing the industry response to accommodating new residents.

The 2023 Update directly references and recognises the proposed development as a key contributor to housing and capital investment for the Region, in alignment with the REDS' provisions and housing strategies (refer to **Figure 2-1** below).

Investment	Estimated total project value	Relevant 2018 strategies
1 Kings Forest urban development	Not available	
2 Cobaki Lakes urban development	Not available	
3 Gold Coast Airport upgrade	\$260 million	  
4 Australian Bay Lobster Producers Seawater Pipeline*	>\$3.5 million	
5 Northern Rivers brewery expansion	\$50 million	
6 Aged Care – Uniting Kingscliff upgrade, Tricare Hastings Point expansion, Serene Seniors Tweed Heads project	>\$250 million	
7 Lindisfarne Anglican School expansion	\$10 million	

Figure 2-1 | Major project investment (Source: REDs 2023 Update, Department of Regional NSW)

Depending on the staging of the project the proposed development will generate approximately 50-100 full-time equivalent (FTE) jobs, subject to the subcontractors and specialists needed. Post-construction, the operational phase would result in approximately 30 (new) permanent jobs and further indirect jobs such as healthcare, social services, and additional care workers.

The proposed development will result in the direct economic investment of \$87.5M, that will directly stimulate the local economy, especially during construction. This spending will be spread across labour, materials, services, and subcontractors, leading to income generation for local businesses and

workers. Employment during construction will likely be temporary but significant. The project will create construction-related jobs such as site preparation, building, and installation.

Seniors residing in the development would contribute to the local economy by spending on local goods and services such as groceries, healthcare, transportation, and leisure activities. This spending would support local and regional businesses, including healthcare services, retail stores, transportation, and entertainment options. Additionally, the presence of a senior community may attract businesses targeting seniors' needs, further boosting local economic activity.

2.2.6 Tweed Local Strategic Planning Statement

The Tweed Local Strategic Planning Statement 2020 (Tweed LSPS) details a 20-year vision for land use within the Tweed LGA. It acknowledges projected population growth and a corresponding need for development in the Tweed to support and benefit from this growth.

The Tweed LSPS establishes the following vision:

In 2040, the Tweed's vibrant urban, coastal and rural communities will be recognised for adapting to the challenges of climate change and population growth in a way that protects and enhances our internationally significant natural environment, maintains a highly desirable lifestyle, and supports a thriving local economy.

The TriCare Hastings Point development responds to Hastings Point's subtropical climate, attributes and character while promoting a safe, welcoming, liveable and connected community. Specifically, the proposed development helps achieve the following themes of the Tweed LSPS:

Natural Environment

- Planning Priority 5: Safeguard the fragile coastal strip by protecting a green belt delineation between coastal settlements to limit urban sprawl and conserve natural landscapes.
- The proposed development has been sited in the central portion of the study area on existing cleared areas containing Exotic Dominated Grassland, largely avoiding areas of biodiversity value, has minimal likelihood for exposing contaminated soils or impacting water quality, and is largely above the probable maximum flood level.

Thriving Economy

- Planning Priority 6. Promote a strong, sustainable and diverse economy with a robust economic policy framework to facilitate investment and local employment opportunities.
- The proposed development will result in the direct economic investment of \$87.5M during construction and ongoing contribute to the local economy by seniors residing in the development and staff spending on local goods and services such as groceries, healthcare, transportation, and leisure activities.

Liveable Communities

- Planning Priority 11. Cultivate a desirable and healthy lifestyle choice with a strong sense of community, diverse places for people to be happy, build resilience, feel safe and be well connected.
- Complementing the RAC and ILUs, the development offers a range of high quality indoor and outdoor communal facilities, for entertainment, health, active and passive recreation.
- Planning Priority 14. Preserve and enhance the distinctive characteristics of our centres, towns and villages that make them special and unique, into the future.
- The proposed development is considered to contribute to the existing local character form and the demographic composition of the site and broader Hastings Point community.

Diverse Housing and Lifestyles

- Planning Priority 15. Deliver housing supply and associated infrastructure to meet the needs of a growing population whilst sensitive environmental and agricultural hinterlands are protected.

- The proposed development delivers a logical extension of the existing retirement village and contribution to the mix of seniors housing accommodation types on the site which will assist in providing housing supply and choice, in Hastings Point and the wider LGA.
- Planning Priority 18. Promote innovation and best practices for climate responsive and ecologically sustainable building design and construction.

An integrated approach towards ecological sustainability has been pursued through the form and composition of housing, landscaping and open space at the site, as well as additional initiatives that will help ensure important energy and water reduction targets are met.

2.2.7 Tweed Urban and Employment Land Release Strategy 2009

The Tweed Urban and Employment Land Release Strategy 2009 (TUELRS) examines growth options that guide Tweed Shire's population increase towards 2031. The TUELRS details a sieve mapping process which identifies additional land for potential urban, greenfield purposes, considers their capacity, applies planning considerations regarding location and access to social infrastructure and the like, then reconciles, at a high-level, these greenfield areas with growth projections and capacity within existing zones.

The TUELRS provides commentary on the supply of land and housing to meet future demand through a combination of:

- Vacant lots within existing zoned residential subdivisions;
- Residential zoned land that is yet to be subdivided;
- Redevelopment of existing residential or other properties; and
- Rezoning of new land for residential purposes.

The subject site and proposal is located in an existing zoned urban area with substantial redevelopment and growth opportunity consistent with the existing zone objectives and development standards. The proposed yield reflects the site's existing zoning and permissibility, as well as the existing valid and active approval that previously considered the planning controls and capability of the land for seniors housing.

2.2.8 Tweed Community Strategic Plan 2022 - 2032

The Tweed Community Strategic Plan 2022 - 2032 (CSP) establishes a vision that 'the Tweed will be recognised for its desirable lifestyle, strong community, unique character and environment and the opportunities its residents enjoy.' To achieve the vision, a number of guiding principles, goals, strategies and targets are provided.

The TriCare Hastings Point development supports the delivery of the Tweed CSP, specifically the provisions of:

- **Protecting** – The proposal is strategically sited on a cleared portion of the site minimising the impact on surrounding environmental values.
- **Living** – The proposal provides a logical extension of the existing facility serviced by reliable essential services and infrastructure
- **Thriving** – Through increasing the population within their catchment, the proposal will encourage social and economic activity within Hastings Point and increased facilities provide increased opportunity to creates connections and support for those in need.
- **Growing** - The proposal will contribute to an increased supply and choice of housing and cater for future growth

2.2.9 Options Paper: Tweed Growth Management and Housing Strategy

An Options Paper for the new Tweed Growth Management & Housing Strategy was exhibited in February 2024. In April 2025, Council endorsed to progress towards a Draft Growth Management Strategy based on the Options Paper. The Growth Management and Housing Strategy is intended to provide a more contemporary strategic guideline for managing growth in the Tweed LGA from what exists under the 2009 TUELRS.

The Options Paper highlights various initiatives and principles towards housing provision for the Tweed LGA. Important for the TriCare Hastings Point development, this Options Paper reiterates the importance for supporting infill development within strategically identified growth and medium density housing areas and specifically calls for infill development to provide greater housing choice and affordability in sections of Hastings Point. The Paper also identifies the existing and growing need for an increased supply of retirement living and aged care facilities in Tweed Shire and a need to incentivise preferred development outcomes, such as retirement living, shire wide.

2.2.10 Ageing Well in the Tweed Strategy 2024-29 (Draft)

Council is currently developing an Ageing Well in the Tweed Strategy which aims to ensure the Tweed is prepared for an expected doubling in the number of people aged over 65 years in coming years. The vision is to create an age-friendly community where residents feel safe, supported and connected with access to opportunities and resources to remain active, engaged, and maintain their health and wellbeing in the Tweed.

Four focus areas are identified in the draft Strategy, being:

- A safe and friendly Tweed;
- A connected and engaged Tweed;
- A resilient and informed Tweed; and
- A healthy and vibrant Tweed.

The proposed development is consistent and will positively contribute to the focus areas, through:

- A safe and friendly Tweed:
 - Accessible Infrastructure: The design will integrate seamlessly with the existing community, ensuring that senior residents can easily navigate the village and surrounding areas, with accessible infrastructure that supports mobility and independence.
 - Inclusive Social Spaces: The communal facilities, provide for a range of functions, where seniors can connect with neighbours and engage in social activities, enhancing their sense of belonging and community.
 - Safety and Security: The purpose-built development ensures seniors can age-in-place in a secure environment, with features such as lighting, surveillance, and design elements that enhance safety.
- A connected and engaged Tweed
 - Opportunities for Social Participation: The communal facilities provide a variety of spaces for social engagement, such as community clubs, fitness programs, and events that promote intergenerational and inclusive participation.
 - Transportation Accessibility: The development is serviced by both public and on-site bus services providing residents with easy access to transportation options, allowing them to stay connected to the broader Tweed community and participate in activities outside the village.
 - Engagement Programs: The development can host programs designed to help seniors develop new skills, foster friendships, and build stronger connections with their peers and the wider community.
- A resilient and informed Tweed
 - Environmental Resilience: The proposed development incorporates sustainable, eco-friendly designs to help seniors adapt to climate change, such as energy-efficient housing, water-saving technologies, and green spaces that contribute to a healthier environment.
 - Information Access: On-site services are provided to help residents access important information about health and local services, empowering seniors to make informed decisions and stay resilient during life transitions.
 - Support for Ageing Issues: Support services such as meals on wheels, in-home nursing and allied health services can aid with daily living, healthcare, social support and meal to help residents live independently and manage the challenges of aging, when necessary.
- A healthy and vibrant Tweed

- Health-Focused Facilities: The development's recreational infrastructure could include fitness facilities, walking paths, and spaces for health and wellness programs, supporting seniors to maintain physical and mental well-being.
- Collaboration with Health Providers: The expansion could offer partnerships with local healthcare providers, ensuring a coordinated approach to delivering health services, supporting seniors' individual needs, and advocating for improvements in aged care services.
- Choice in Care: With purpose-built RAC and ILUs, seniors can make informed decisions about their lifestyle and care needs, providing them with autonomy while also having access to assistance when required.
- Community Advocacy and Support: By fostering a culture of respect and advocacy for seniors, the expansion can act as a hub for promoting awareness of age-related issues, breaking down barriers, and addressing ageist attitudes in the community.

The proposal to provide a 47 bed RAC and an additional 51 ILUs plus supporting facilities at the TriCare Hastings Point retirement village could thus play a crucial role in supporting the goals of *Ageing Well in the Tweed*, particularly by fostering a safe, connected, informed, and healthy environment where seniors are empowered to live fulfilling lives.

2.2.11 Tweed Shire Council Development Control Plan 2008 – Section B23 Hastings Point

The Hastings Point Locality Based Development Code was adopted by Council in 2011 and outlines the vision and guidelines for the development and management of the Hastings Point area. It aims to balance growth with environmental preservation, ensuring that future developments align with the community's needs and the region's ecological values.

Specific to the site, the South Hastings Point precinct strategy outlines specific provisions that aim to shape the desired future character of the area. This includes a focus on enhancing the low-density residential character, with new developments to blend seamlessly into the natural environment. The strategy places a strong emphasis on preserving the unique coastal and bushland setting, ensuring that development is sensitive to the local ecology and visual amenity.

The precinct strategy acknowledges that the area will experience gradual growth, particularly through infill development, while respecting the predominantly low-rise, suburban character of South Hastings Point. There is also an emphasis on achieving housing diversity, with provisions supporting eco-friendly and medium-density housing in carefully selected locations. In alignment with these goals, the strategy outlines specific guidelines for the integration of infrastructure, landscaping, and stormwater management, ensuring that future development respects both the natural and built environment.

The Hastings Point Development Plan highlights the importance of preserving the area's distinctive coastal charm, while planning for modest growth that is in line with the community's vision. The South Hastings Point precinct strategy forms an essential component of this plan, aiming to guide development in a way that maintains the locality's character, enhances its environmental assets, and provides housing solutions to meet future demand. This approach is crucial in maintaining the high quality of life for residents and visitors while supporting the long-term sustainability of Hastings Point.

Although Development Control Plans (DCPs) do not apply for State Significant Developments pursuant to Section 2.10 (1) of the *State Environmental Planning Policy (Planning Systems) 2021*, the proposal has considered the provisions found within the Tweed Shire Council Development Control Plan 2008 (Tweed DCP 2008) to design a development that sits well within its context. This is discussed in detail under **Section 4** of this EIS.

2.3 Key Features of the Locality and Site

2.3.1 Broader Locality

2.3.1.1 Relevant LGA

The site is located within the Tweed LGA.

The Tweed LGA is in the far north coast of NSW, immediately adjoining the state boarder of QLD approximately 100km south of Brisbane and 750km north of Sydney. The LGA benefits from a subtropical climate, characterised by warm, humid summers and mild winters.

The Tweed has enjoyed sustained and strong population growth over a number of decades, fuelled by its immediate access to employment centres, picturesque scenic landscapes and quality open spaces, including a 37km coastline.

The Tweed Shire is identified as the LGA within the north coast of NSW comprising the largest and second fastest growing population (source: DPHI population projections).

Tweed Shire Council declared a housing emergency in 2021 due to severe pressures on housing affordability and accessibility, necessitating urgent action. In this context, the Housing Needs Assessment (May 2023) prepared by PSA Consulting as part of Council's draft Growth Management and Housing Strategy, confirmed there is an increasing need for specialised housing for the ageing population as well as an existing shortfall in the number of existing retirement living and aged care facilities across the Tweed.

2.3.1.2 Broader Locality – Relevant Suburb

The site is located within Hastings Point.

Hastings Point is a small coastal Tweed settlement positioned between the townships of Bogangar/Cabarita Beach to the north and Pottsville to the south (refer to **Figure 2-2**). Pottsville is the nearest township of these 2 localities. The Pottsville commercial centre is located approximately 2km south of the site.

Hastings Point is characterised as a predominantly 'low key, low scale' coastal settlement providing a range of recreational, holiday and residential opportunities set within a natural backdrop and setting. Larger built forms within the locality are largely located within the Peninsula Street and 'Northern Entry Precinct', as well as the subject site in the 'Southern Entry Precinct'. A general store, two service stations and a few cafes and restaurants serve the local population and tourists.

The settlement is enveloped by significant foreshore areas providing access to the NSW Coast, the waterways of Christies and Cudgera Creeks and Crown land reserves, which define the natural coastal setting and appeal of Hastings Point.

The locality has long been a holiday location for day-trippers, caravanners, as well as supporting a residential population of less than 700 people.

Hastings Point is well connected via major roads and a public bus stop (B603) is located directly outside the site, serviced by regular routes that connect to nearby centres. Bus route B603 runs every hour between 6.20am and 9.20pm Monday to Saturday and 8.20am to 6.20pm on Sundays. A broad network of pedestrian and cycling paths also connect Hastings Point to the coastal towns and villages of Tweed including Pottsville, Bogangar, Casuarina, Kingscliff, Chinderah and Fingal Head.

Overall, Hastings Point is defined by its scenic coastal environment, making it a popular destination for both residents and visitors who appreciate beachside living.

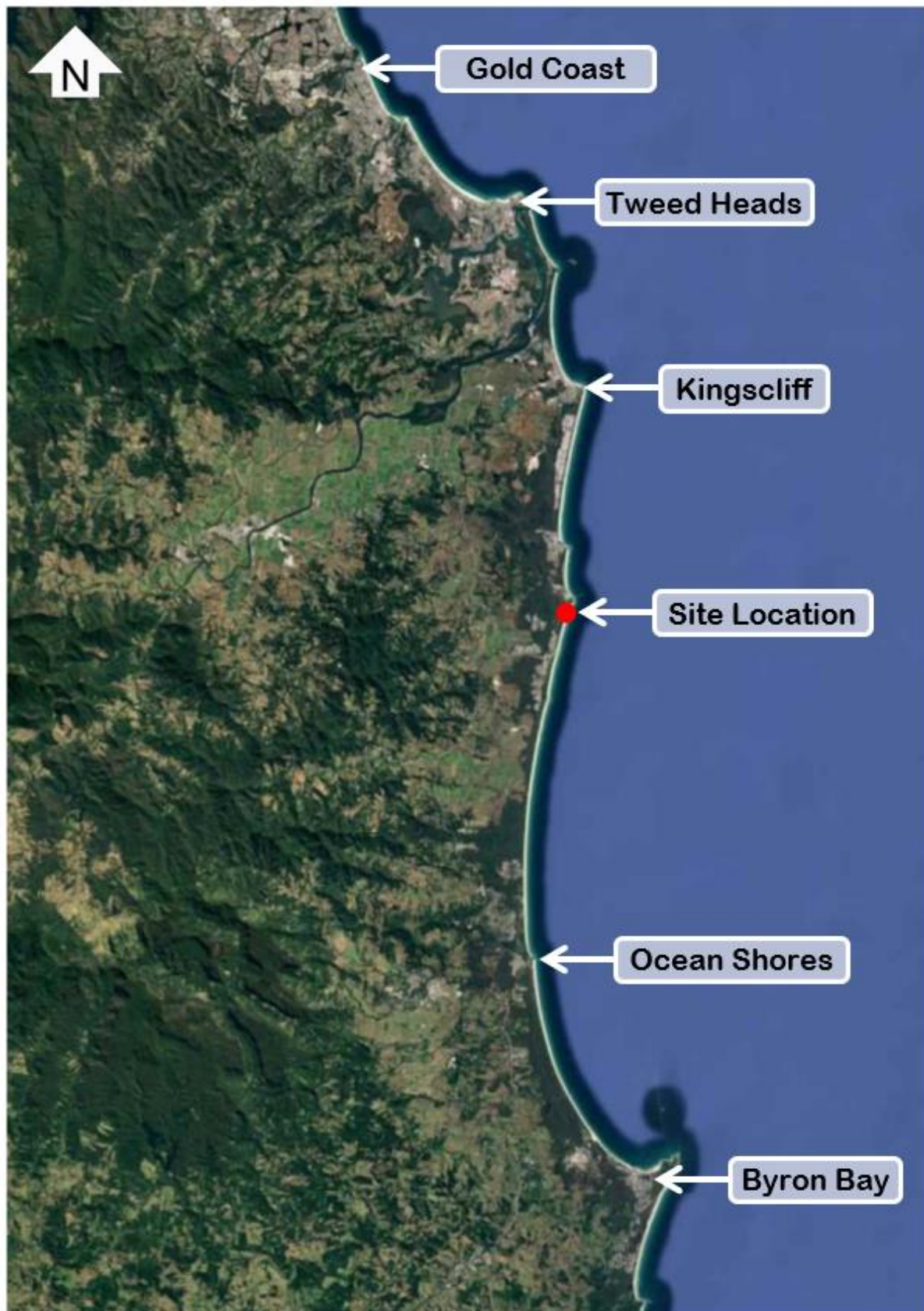


Figure 2-2 | Regional Context (Source: Nearmap)



Figure 2-3 | Tweed LGA Context (Source: Nearmap)

2.3.1.3 Existing Services and Business Hastings Point & Pottsville

Both Hastings Point and the nearest township, being Pottsville, provide many retail, commercial, health education and other service needs for the immediate population and broader network of the Tweed coastal communities.

A snapshot of the existing services within Hastings Point is provided within **Table 2-1**.

Table 2-1 | Existing Services of Hastings Point & Pottsville

Street Address	Category	Service Provider
Within the Tricare Hastings Point Site		
		Hair salon
		Nook Café
		Health Hub
		Acupuncture
Frontage of the Site		
	Service Station	Shell Express Hastings Point
Hastings Point Village		

Street Address	Category	Service Provider
	Food and drink outlet	Hastings Point General Store
		Ripples Café
	Service Station	BP Hastings Point
	Social	Marine Discovery Centre Hastings Point
Pottsville Commercial Centre		
	Food and Drink Outlet	Corner Stop Cafe
		The Palm
		The Betell
		Pottsville Pizzeria
		Pipit
		Fruit & Veg
		Pure Zest Health
		Pottsville Bakehouse
		Butcher
		Hooked on Seafood
		What's Good for you
		Pizza
		Chinese Restaurant
		Pottsville Tavern
		Black Rock Bakehouse
		Potty Mouth Pizza
		Sushi Café
	Place of Worship	Anglican Church of Australia – The Church of St Mark's
	Services	Australia Post
	Health	Pottsville Medical Centre
		Pottsville Physio
		Sullivan Nicholaides Pathology Pottsville
		Sun Doctors
		Pharmacy
		Oasis Dental
		CB Dental
		Total Health Pottsville
		Sharpeyes Optometrist
	Education	Pottsville Beach Public School
		Pottsville Gumnuts Child Care Centre
		St Ambrose Catholic Primary School
		Pottsville Community Preschool
	Professional Services	O'Riel and Sochacki Solicitors
		Pottsville Properties
		Rain & Horne Pottsville
		NP Conveyancing
		First National Pottsville
		Josman Financial Group
		Nortec Employment & Training
		TOKA Accountants

Street Address	Category	Service Provider
	Social & Recreation	Pottsville Sports
		Pottsville Oval
		Pottsville Tennis Club
		Loft Pilates
		Pottsville Beach Neighbourhood Centre
		Pottsville Beach Community Markets
		Pottsville Cricket Club
		Pottsville Beach Football Club
		Pottsville Beach Community Hall
	Retail	Pottsville Newsagency
		Village Hardware
		Aqua
		Bottlemart
		Cellarbrations
		Foodworks
		IGA Local Grocer Pottsville
	Emergency Services	Dune
		Pottsville Ambulance Station

2.3.1.4 Recreational Facilities within Hastings Point & Pottsville

Recreation and open space are integral components of the Hastings Point and Pottsville character. There are numerous recreation and open space facilities within Hasting Point and Pottsville, ranging from small parks, sports fields, coastline and foreshore land for public and private recreation.

The public open space and public facilities plan for Hastings Point are shown in within **Figure 2-4**.

The more notable recreational spaces that are proximal to the subject site are listed under **Table 2-2**.

Table 2-2 | Recreational Facilities

Recreational Facility	Distance from site
Hastings Point Foreshore / Beach Access	150m to the east
Hasting Point Lookout	800m to the north
Cudgera Creek Foreshore and Parklands	800m to the north
Pottsville Sports	1.5km to the south
Pottsville Oval	2.5km to the south
Black Rocks Sports Oval	6.0km to the south
Pottsville Cricket Club	4.0km to the south
Pottsville Beach Football Club	3.0km to the south

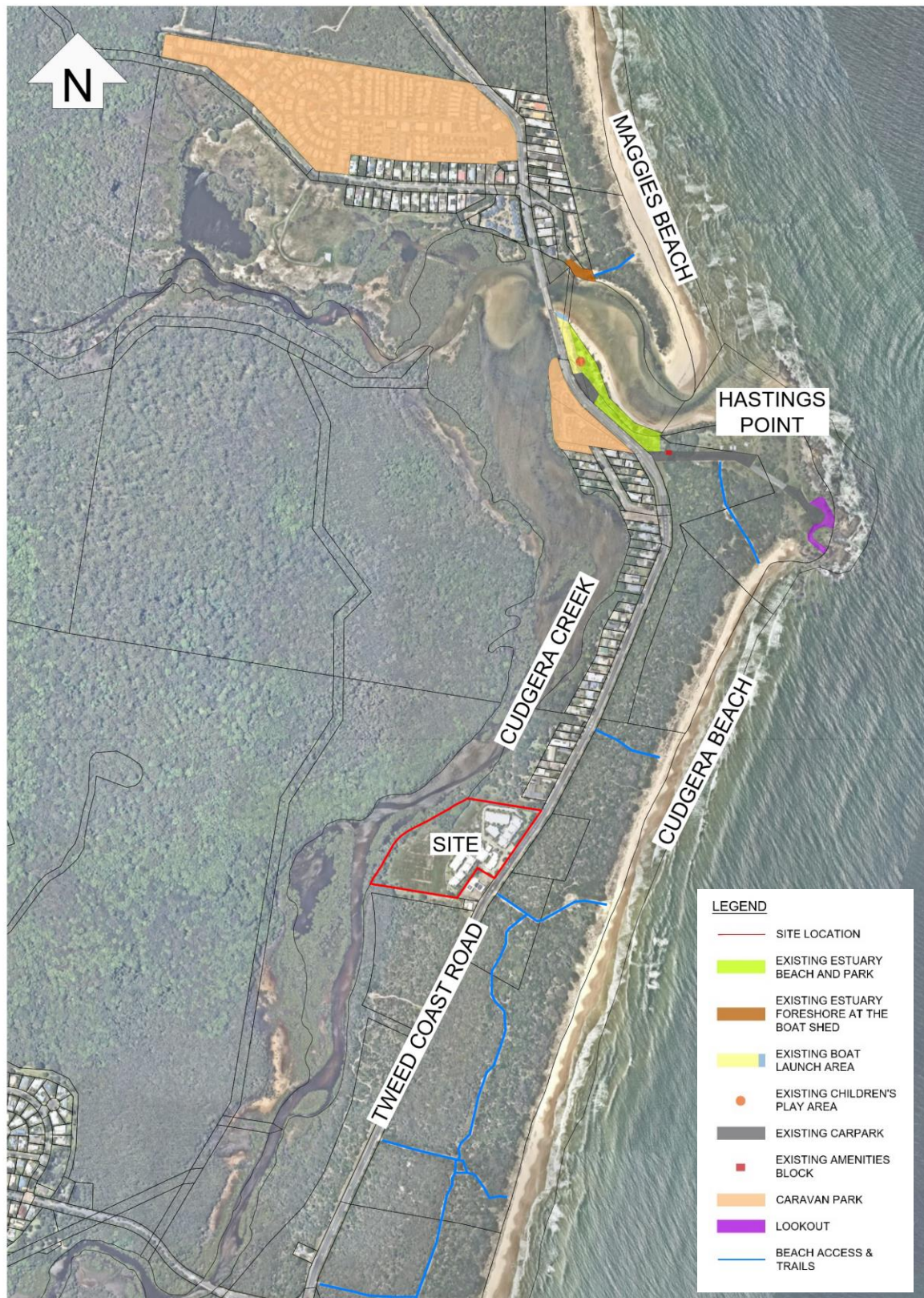


Figure 2-4 | Hastings Point Public Facilities Plan (Source: Planit Consulting)

2.3.1.5 Land Use Categories and Character Hastings Point

The Hastings Point urban footprint is essentially bound by the Pacific Ocean and beach foreshore to the east and Cudgera Creek to the west. Apart from a mix of residential dwelling types, the township is dominated by 2 large caravan parks (Tasman Holiday Park and Tweed Holiday Parks) and 2 service stations (BP and Shell).

The built form character of Hastings Point is predominantly low-scale, reflecting its small-village status and sensitive environmental setting. Detached single dwellings and older holiday cottages form the traditional fabric of the area, typically one or two storeys in height, with some limited examples of three-storey residential flat buildings near the northern entry precinct. Materials and architectural styles are diverse but generally modest, favouring lightweight coastal construction - timber, fibro, and more recently, modern infill using muted tones that blend with the natural surrounds.

Along Tweed Coast Road and adjacent to the estuary, buildings are set within generous landscaped setbacks, allowing mature vegetation to dominate the streetscape and maintain the settlement's "soft edge" to nature. Coastal landscaping and informal, green verges enhance the pedestrian experience and contribute to the relaxed, beachside village identity.

The surrounding character is also strongly defined by its environmental context, Cudgera Creek to the west and the dune and beach systems to the east, which serve not only as key visual anchors but also reinforce the need for sensitive urban responses that prioritise landscape integration, minimal bulk and scale, and the retention of natural views and ecological corridors.

2.3.2 Hastings Point Social Demographic

In 2021, Hastings Point was estimated to be home to approximately 661 residents, living in 484 dwellings. A detailed review of Hastings Point's demographic profile is provided in the **Social Impact Assessment** prepared by HillPDA. This analysis confirms three key strategic considerations relevant to the proposed development:

- **An Ageing Population:** Hastings Point is characterised by an older population, with a median age of 67 years at the 2021 census, substantially higher than the New South Wales median of 43 and the median age for the Tweed, 47. Over half (55.2%) of the residents were aged 65 and above which is more than double that of the Tweed and the rest of NSW, reflecting the community's appeal as a retirement and aged-care destination.
- **Demand for Smaller and Senior-Friendly Housing:** In 2021, household compositions in Hastings Point were predominantly lone-person households (47%) and couple-only families (44.8%), with an average household size of 1.7 persons. Approximately 11.6% Hastings Point residents required assistance with core activities, compared to 7.4% in Tweed and 6.8% in Rest of NSW. This underscores a need for smaller, more accessible housing options tailored to the senior community.
- **Limited Local Workforce and Increased Housing Stress:** Only 27.3% of the local population is in the labour force, significantly lower than the broader NSW average of 58.7%, reflecting the largely retired or semi-retired population base. Additionally, there is a high rate of housing stress, with over half of rental households spending more than 30% of their income on housing.

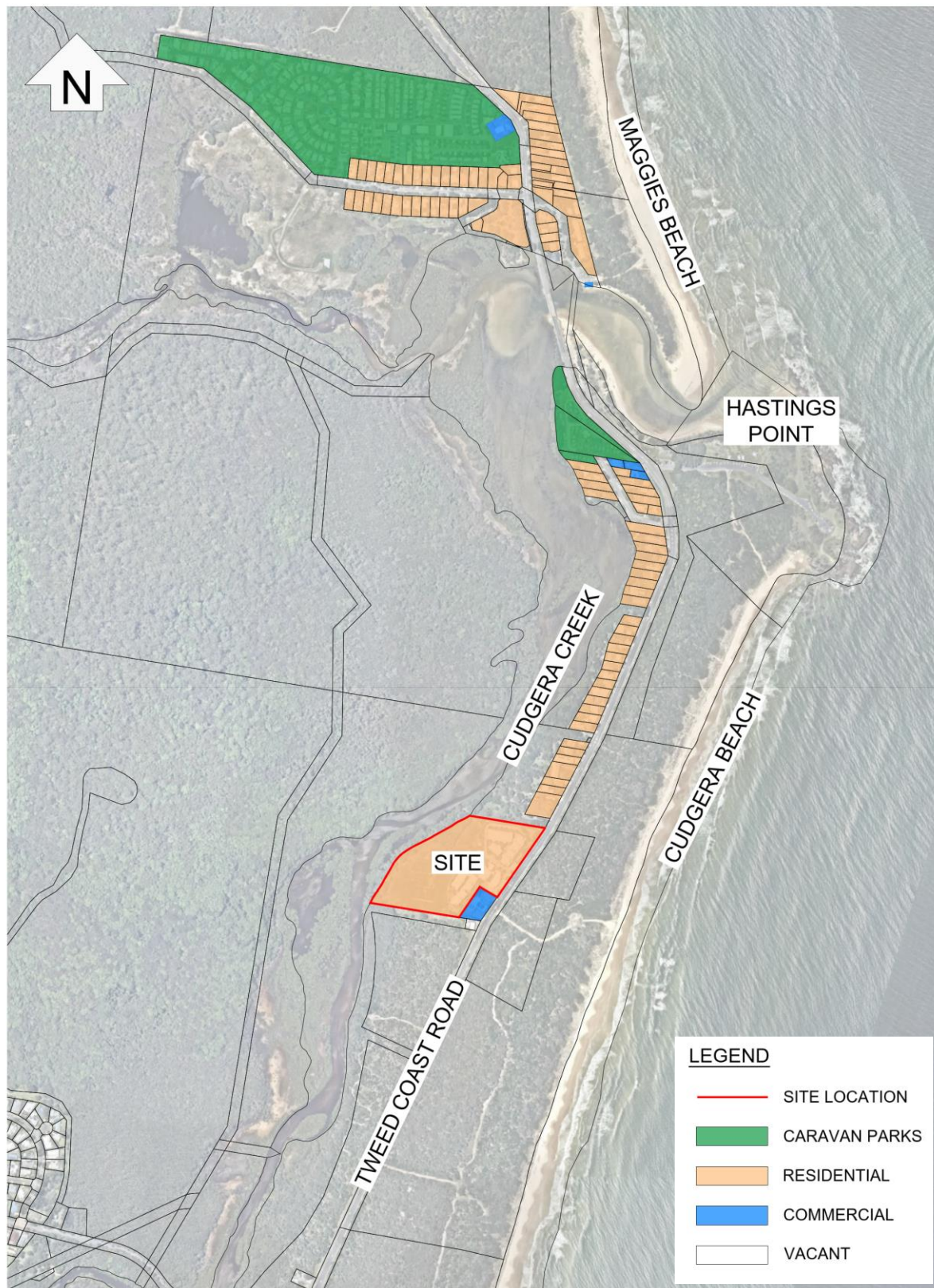


Figure 2-5 | Land Use Categories for Hastings Point (Source: Planit Consulting)

2.3.2.1 Climate and Weather

Hastings Point experiences a moderate subtropical climate characterised by warm summers and mild winters. The mean annual maximum temperature is 24.9°C, with the hottest month being January, which typically reaches an average maximum of 28.5°C. On the other hand, the coolest month is July, where the mean minimum temperature drops to around 10.1°C, and the average annual minimum temperature is 16.0°C, reflecting the generally mild nature of the region's winters.

The area receives a significant amount of rainfall throughout the year, with an annual total of approximately 1521mm. March is generally the wettest month, with an average rainfall of 199.4mm, while September is generally the driest month, with just 44.0mm of precipitation. On average, Hastings Point experiences rainfall on 108 days annually, indicating a relatively frequent, though not overly intense, rainy pattern. The area has high humidity, especially in summer, with the average relative humidity peaking around 70-80%, during the warmer months.

Being a coastal area, Hastings Point is often subject to moderate coastal winds with mean annual wind speed ranging from 16.7 to 20.9km/h. Winds are typically stronger during the warmer months and lighter during the cooler months.

2.3.3 The Site

2.3.3.1 Site Description

The primary site details for the land that is the subject to this EIS and proposed development are tabled below. This land is referred to as the Tricare Hastings Development Site throughout this EIS.

Table 2-3 | Site Details

Street Address	Lot / DP	Landowner	Site Area
87-89 Tweed Coast Road, Hastings Point	Lot 1 DP786570	Tricare (Hastings) Pty Ltd	37,970m ²

This land is shown in **Figure 2-6** below.



Figure 2-6 | Site Plan (Source: Nearmap)

The site is bordered by a mix of public open spaces and environmental areas. Cudgera Creek and its estuarine environment align the site to the west. To the east lies the NSW Coastline / Cudgera Beach and a dunal foreshore, while conservation lands extend to the north and south, providing natural buffers around the site. The Shell service station referred to previously, sits to the immediate south-east of the site.

2.3.3.2 Existing Site Encumbrances

The site is not affected by any easements or restrictions.

There are 4 notifications listed on the second schedule of the title, being:

1. Land excluded minerals and is subject to reservations and conditions in favour of the crown – see crown grant(s).
2. AF374262 – The land above described is used as a retirement village under the Retirement Villages Act 1999 known as The Point on the new Tweed Coast Retirement Village.
3. AF702296 – Memorandum with plan annexed showing units 1 to 91, car spaces 1 to 91 and storage areas 1 to 99.
4. AH79168 – Memorandum with plan annexed showing Block 'A' Units 1 to 45, car spaces 1 to 45, storage areas 1 to 45, Block 'B' Units 46 to 54, car spaces 46 to 51, storage areas 46 to 58, 60 to 67, Block 'C' Units 55 to 91, car spaces 52 to 91 and storage areas 59 & 68 to 91.

The proposal is not impacted or influenced by these notifications. There is scope to update these notifications once the proposed development is delivered.

2.3.3.3 Development Approvals that Apply to the Site

A review of Tweed Shire Council's online Development Application Tracker reveals there are 19 Development Applications (DAs) relevant to the site. These are summarised in **Table 2-4**.

Table 2-4 | Historical Development Approvals

DA Number	Description	Lodgement Date	Determination Date
T4/0644	Erection of two staff flats at existing tourist accommodation	-	18/05/1981 (Approved)
D87/0239	Establishment of 10 caravan sites	05/06/1986	27/04/1987 (Approved)
D87/9239	Amendment to Development Consent D87/239 for the establishment of 10 caravan sites	31/07/1991	31/07/1991 (Approved)
S98/0014	Two lot residential subdivision	25/02/1998	06/04/1998 (Approved)
0560/2000DA	The relocation of site office/manager's residence	04/05/2000	12/05/2000 (Approved)
0618/2001DA	The use of temporary buildings as a marine environment centre	06/07/2001	28/08/2001 (Approved)
DA03/0751	Demolition of existing sign and erection of two (2) new information signs – Marine Environmental Centre and Hastings Point Holiday Village	23/05/2003	17/09/2003 (Withdrawn)

DA Number	Description	Lodgement Date	Determination Date
DA03/1545	Changing configuration of short term and camping sites in the existing holiday park	21/10/2003	03/02/2004 (Approved)
DA06/0413	A staged seniors living development under SEPP (Seniors Living) 2004 comprising 91 independent living units, 94 supported living units and 67 beds within a high care facility	26/04/2006	14/05/2007 (Approved) Appeal Result – 13/06/2008 (Court Approved)
CDC07/0067	Temporary sales office	28/05/2007	06/06/2007 (Approved)
DA06/0413.01	Amendment to Development Consent DA06/0413 for a staged seniors living development under SEPP (Seniors Living) 2004 comprising 91 independent living units, 94 supported living units and 67 beds within a high care facility	03/12/2007	18/07/2008 (Approved)
DA08/0948	Provision of temporary access road and removal of vegetation	07/08/2008	19/09/2009 (Approved)
DA06/0413.08	Amendment to Development Consent DA06/0413 for a staged seniors living development under SEPP (Seniors Living) 2004 comprising 91 independent living units, 94 supported living units and 67 beds within a high care facility	17/09/2008	30/04/2009 (Approved)
DA06/0413.13	Amendment to Development Consent DA06/0413 for a staged seniors living development under SEPP (Seniors Living) 2004 comprising 91 independent living units, 94 supported living units and 67 beds within a high care facility	07/01/2010	23/03/2010 (Approved)
DA11/0597	Advertising sign	08/12/2011	02/02/2012 (Approved)
DA13/0308	Change of use and re-allocation of floor area within Block B of existing aged care facility	18/06/2013	12/09/2013 (Approved)
CDC18/0066	Demolition of 11 various buildings	15/05/2018	23/05/2018 (Approved)
DA06/0413.14	Amendment to Development Consent DA06/0413 for a staged seniors living development under SEPP (Seniors Living) 2004	24/06/2020	07/07/2021 (Refused)

DA Number	Description	Lodgement Date	Determination Date
	comprising 91 independent living units, 94 supported living units and 67 beds within a high care facility		Appeal Result – 07/11/2022 (Discontinued)
DA25/0123	Construction of seniors housing comprising 69 independent living units & associated facilities (NRPP)	20/03/2025	Under assessment

While not shown under the DA history, the site was subject to heavy mineral sand mining in the 1960s, with the land rehabilitated in the 1970s.

The DA history does then show that this site was formerly used for tourist accommodation (caravan park) prior to it being established as a seniors housing development site.

The most relevant approval for the site is DA06/0413 (as modified), provides for the delivery of a substantial seniors housing development at the site. Greater detail regarding this approval and what has been built onsite, in accordance with the approval, is provided in the subsections below. In summary though, Stage 1 of the proposal, which provided for 91 ILUs as well as a number of community facilities has been built and has been operational since 2009.

TriCare has reviewed the balance of the approved development and concluded that the design no longer responds to the contemporary vision of senior living needs and requirements - including the quality of accommodation, allowance for lifestyle amenity, provision of greater passive and active communal spaces and the support and encouragement of age in place principles.

Accordingly, TriCare has elected to review the balance of the master plan and embark on a new delivery outcome for the remaining stages of the seniors housing community.

TriCare pursued a revision to the Development Consent for DA06/0413 (as modified) through a Modification Application with Tweed Shire Council referred to as DA06/0413.14 within **Table 2-1** above. This Modification Application was refused by Tweed Shire Council and a Land and Environment Court appeal was discontinued, based on a legal disagreement to whether the proposed modified development could be determined substantially the same to that approved under DA06/0413.

A new DA is therefore being pursued to remove the 'substantially the same test' and allow the proposal to be considered on merit.

In navigating the complexities of the NSW Planning System, TriCare has made the strategic decision to submit two (2) separate but concurrent DAs to obtain approval for improved seniors housing development at the site. The separate applications include:

- A local (regionally significant) DA – This is the DA referred to as DA25/0123 in **Table 2-1** above; and
- A SSD Application to be submitted to the NSW Department of Planning - which is the subject to this EIS.

Of note, the local DA does not incorporate a residential aged care component, instead comprising a total of 69 independent living units.

2.3.3.4 Existing Built Features at the Site

The site has an existing approval for a seniors living development comprising up to 91 ILUs, 94 supported living units, and 67 RAC beds.

Stage 1 of this approval was delivered in 2009 and continues to operate, incorporating the 91 ILUs distributed across multiple interconnected buildings within the eastern portion of the site, fronting Tweed Coast Road (Refer to **Figure 2-7**).

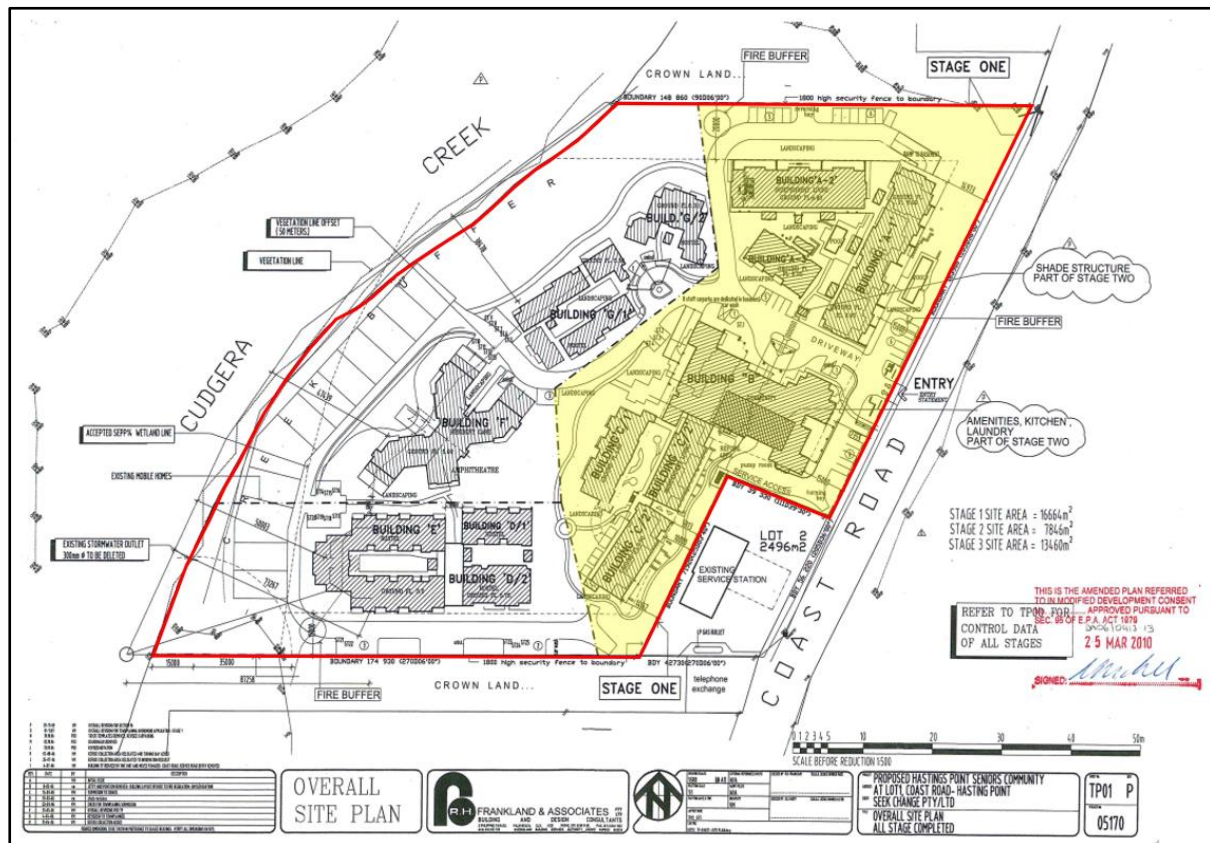


Figure 2-7 | Approved Seniors Housing Development - Stage 1 Highlighted

The existing built form of Stage 1 consists of 3 buildings, with 7 physically distinct wings, identified as Buildings A1, A2, A3, B, C1, C2 and C3. The buildings range between 2 and 3 storeys in height. The ILU buildings include basement parking for 112 cars, with vehicular access provided via a single point of entry from Tweed Coast Road. An additional 20 on grade car parking spaces are dispersed across the site for staff and visitors.

The existing development also incorporates a suite of communal facilities, including:

- Indoor clubhouse and meeting rooms;
- Commercial tenancies (café, hairdresser, pharmacy);
- Two outdoor swimming pools;
- A small gymnasium and multipurpose recreation areas;
- Landscaped courtyards and passive open space areas.
- Visitor car parking, site accessway and site identification signage fronting Tweed Coast Road

The existing facility has a gross floor area of approximately 15,063m². It currently accommodates 132 residents and staffs 6 full-time employees.

Servicing infrastructure, including loading bays, waste collection, and utilities, occurs near the site's eastern entry.

The Stage 1 buildings are sited within the eastern portion of the site, framed by landscaped buffers along the Tweed Coast Road frontage. The existing built form and associated infrastructure establish the foundational structure for the broader approved development and define the site's current operational and spatial context.

The allocated and approved land at the site for the remaining stages is located to the rear of the existing development. This land remains vacant and undeveloped. This land is not embellished or provided as recreational or open space land for the existing Stage 1 development. Rather, it is fenced off from the existing Stage 1 development and set aside for future development.



Figure 2-8 | Aerial Image of Site (Source: TriCare)



Figure 2-9 | Existing Seniors Housing Built Form (Source: TriCare)



Figure 2-10 | Existing Building Entry (Source: TriCare)



Figure 2-11 | Existing Accessway to Future Development Services (Source: TriCare)



Figure 2-12 | Site view from Tweed Coast Road (south of site facing north)



Figure 2-13 | Site view from Tweed Coast Road (facing west)



Figure 2-14 | Site view from Tweed Coast Road (north of site facing south west)

2.3.3.5 Unbuilt Features at the Site

Approximately 11,300m² of the site is vacant, cleared and undeveloped despite being approved for seniors housing development under DA06/0413 (as modified). This consent remains active.



Figure 2-15 | Vacant Land Within Site Looking East to Stage 1 (Source: TriCare)



Figure 2-16 | Vacant Land and Retained Vegetation Looking South (Source: TriCare)

DA06/0413 approves the delivery of 94 supported living units and 67 RAC beds across this vacant land area. This accommodation is approved across 6x buildings, all being 3-storeys in height.

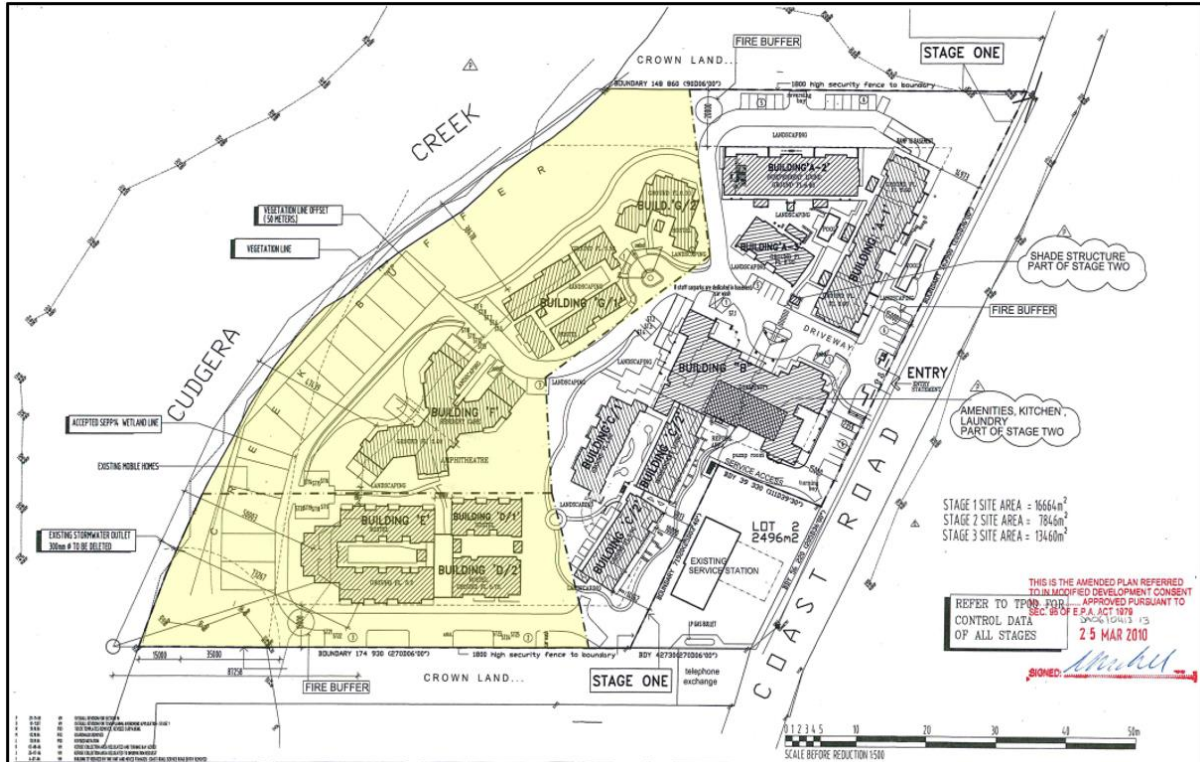


Figure 2-17 | Existing Seniors Housing Development Overall Site Plan (DA06/0413 as modified)

Buildings D1, D2, E, G1 and G2 under this approval include supported living units (hostel) comprising 91x 2x bedroom units. Each building had a communal laundry and dining hall.

The approval also provides for the fit-out of an existing space within Building B, as a kitchen and laundry, that would be operated by the seniors housing provider to provide meals and laundry to residents within the supported living and aged care services.

Building F is the approved RAC facility, approved to accommodate 67x single bed units (rooms), spread across 3 levels. Each floor of approved Building F included staff amenities and a centralised communal lounge/dining.

Limited resident, staff and visitor parking for these buildings was approved on ground level, external to the buildings.

DA06/0413 also considered the historical use of the site, being a caravan park, and supported this use to continue until the site transitioned wholly into a seniors housing development. The caravan park use has now been fully abandoned.

Most communal facilities and services approved onsite under DA06/0413 were delivered under Stage 1 (refer to **Section 2.3.3.4** of this EIS above). The approval did provide for a new external amphitheatre adjacent to approved Building F as well as open space land for passive recreation and walking paths.

There are requirements under this consent for the operator to establish a viewing platform to Cudgera Creek, dedicate the entire site's frontage to Cudgera Creek to Council and to upgrade and embellish beach access, which sits adjacent to the site on the western side of Tweed Coast Road. The requirement and legality for these impositions has been questioned. This is discussed in more detail under **Section 5.3** of this EIS. Notwithstanding and for the purposes of describing the site, these public works have not been completed and are not being pursued under this SSD Application.

2.3.3.6 Road Accessibility

Tweed Coast Road stretches 25km in a north south direction along the Tweed Coast. It is a major collector route servicing the coastal settlements of Chinderah, Cudgen, Kingscliff, Casuarina, Cabarita / Bogangar, Hastings Point, Cudgera Creek, Pottsville and Wooyong. This roadway is a classified Regional Road and provides important links for these coastal areas and wider settlements to essential infrastructure in the Region, including the Tweed Valley Hospital, Kingscliff Tafe, and the Pacific Motorway.

In front of the site, Tweed Coast Road is a sealed 2-lane roadway, with a single travel lane for each direction. The roadway has a sign posted speed limit of 50 km/h near the site.

Vehicle access is provided to the site direct to Tweed Coast Road via an existing driveway crossover. This existing driveway crossover and internal access road was sized and designed to accommodate all stages of the approved development at the Tricare Hastings Point Development site under DA06/0413 (as modified).

The existing ILU buildings at the site, include basement parking for 112 cars, with vehicular access provided via the single private access driveway travelling through the site. An additional 20 on grade car parking spaces are dispersed across the site for staff and visitors.

Servicing infrastructure, including loading bays, waste collection, and utilities, all occur onsite near the site's eastern entry.

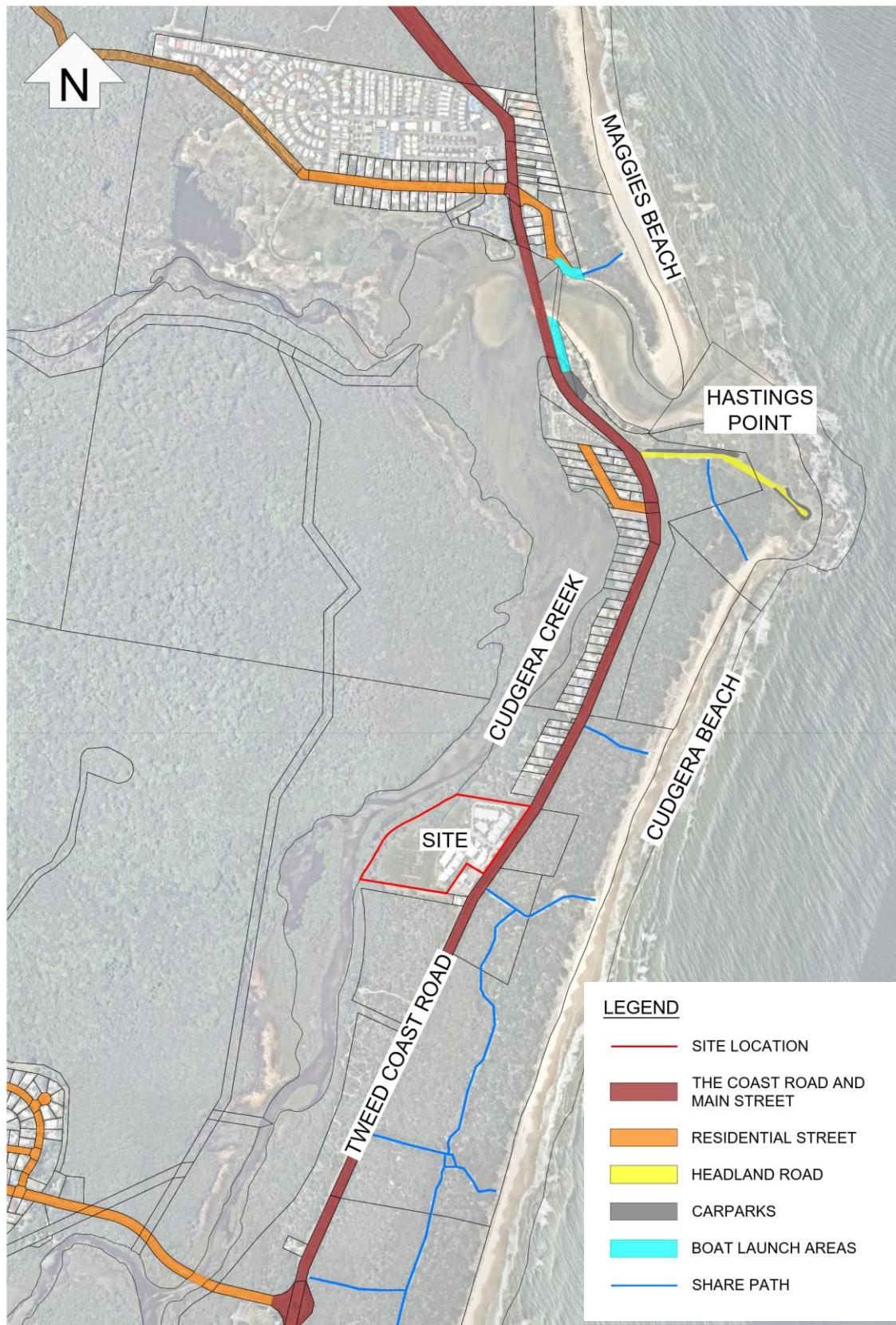


Figure 2-18 | Road and Access Network

2.3.3.7 Pedestrian and Cycling Network

Hastings Point has a broad network of pedestrian and cycle paths, which connect to Pottsville in the south and Cabarita Beach in the north.

A 2.5m wide shared path runs along the entire frontage of the site and connects with the footpath network to the north and south.

There is a pedestrian island within the centre of Tweed Coast Road, allowing safe travel across this 50km/h roadway (refer to **Figure 2-20**)

Access to the beach and foreshore is on the opposite side of Tweed Coast Road from the site. This access provides a pedestrian link to the beach and walking tracks within the foreshore.

2.3.3.8 Public & Private Transport

There are 2 Council bus stops on the eastern and western side of Tweed Coast Road at the frontage of the site. These bus stops are for bus routes 603 which run every hour from 6.20am and 9.20pm Monday to Saturday and 8.20am to 6.20pm on Sundays between Hastings Point and the Tweed Heads city centre. This bus route provides access to the coastal towns between Pottsville and Tweed, including the Tweed Valley Hospital.



Figure 2-19 | Northbound Bus Stop



Figure 2-20 | Southbound Bus Stop

A private mini bus service operates from the site. This service is offered by TriCare for existing residents and will continue to be available to residents within the proposed development.

2.3.3.9 Topography and Soils at the Site

The subject site is located within the dune systems and estuarine environment between Cudgera Creek (west) and South Coral Sea shore line (east). The topography is characterised by gentle slopes of between 3% along the creek bank and up to 10% along the outer dune. Local relief is reported to range from 10m along the outer dune to <2 m along the creek.

The soils are generally aeolian sand deposits. In areas that have been subject to previous development the sands are extensively intermixed with gravel and building rubble. In areas subject to rehabilitation plantings a shallow topsoil rich in organic matter have developed. Closer to Cudgera Creek the soils have developed into moist dark grey to black sandy loams that are rich in organic matter. Estuarine muds are present in the Cudgera Creek estuary below mangroves.

The following soil landscapes are mapped on Soil Landscapes of the Murwillumbah-Tweed Heads 1:100,000 Sheets (Morand 1996) in the study area:

- Cobaki variant A (covering the western side of the study area); and
- Bogangar (covering the eastern side of the study area).

The Cobaki soil landscape is described as narrow inter barrier creek floodplains consisting of mixed estuarine and aeolian materials (Morand 1996), while the Bogangar soil landscape is described as very disturbed outer barrier (Holocene) dunes (Morand 1996).

2.3.3.10 Vegetation at the Site

A **Biodiversity Development Assessment Report** (BDAR) prepared by Cumberland Ecology indicates that vegetation of Hastings Point, and the surrounding landscapes are modified landscapes (**Appendix T**). European settlement in NSW and some areas of coastal sand dunes have been subject to historical sand mining. Small areas of the pre-existing vegetation within proximity of the study area have been historically cleared for agriculture and residential development purposes. These areas are surrounded by significant areas of intact native vegetation on the opposite bank of Cudgera Creek and on coastal sand dunes.

The BDAR denotes most of the vegetation within the subject site as being significantly altered through clearing for previous development including the previous tourist accommodation / caravan park use and the subsequent existing seniors housing development.

The vegetation communities onsite, and the extent of direct impact / clearing associated with the development is listed below.

- 0.07 ha of Northern Sands Tuckeroo-Banksia Forest (PCT 3132);
- 0.03 ha of Far North Paperbark Fern Swamp Forest (PCT 3989);
- 0.18 ha of mixed Native-Exotic Landscaping Plantings;
- 1.65ha of Exotic Dominated Grassland; and
- 0.22ha of cleared land.

DA06/0413, which provides for the existing seniors housing development at the site, did include onsite vegetation restoration requirements in association with the perceived ecological value impacts for that approved development. A review of this former approved restoration strategy is provided within Section 1.3 of the BDAR.

The BDAR confirms that some restoration planting and ongoing management has been undertaken onsite in accordance with this approved restoration strategy. The vegetation identified as Far North Paperbark Fern Swamp Forest (PCT 3989) was confirmed to be restored habitat. 17 trees within this restored habitat area have been identified for clearing in association with the proposed development.

The BDAR quantifies the impacts of the ecological value impacts associated with the proposed development, in the context of contemporary biodiversity development assessment requirements as well as qualifying that the proposal does not become inconsistent with or undermine the formerly approved restoration strategies.

2.3.3.11 Utility Services at the Site

The **Civil Engineering Report (Appendix M)** confirms that the subject site is currently serviced by the following utility services:

- Water (Tweed Shire Council);
- Sewer (Tweed Shire Council);
- Power (Essential Energy); and
- Telecommunication (Telstra, NBN).

The site is currently supplied by a 200mm main within the western verge of Tweed Coast Road, which forms part of Tweed Shire Council's potable water reticulation network. A water service connection from this main is already in place, supplying the existing development.

A 150mm diameter Council gravity sewer main is located within Tweed Coast Road at the front of the site. The existing development includes a private sewer pumping system onsite, which discharges through a private rising main to a property connection at the site's northeast corner, linking to the Council sewer.

Existing connections are also in place for Essential Energy and Telecom domestic services provided via underground and overhead reticulation which run in front of the site within the Tweed Coast Road reserve.

There are no known capacity constraints in the existing network to service the proposed development.

2.3.3.12 Key Risks and Hazards

The subject site is not mapped as being:

- Aboriginal Place of Heritage Significance or Predictive Aboriginal Cultural Heritage;
- State or local heritage significance;
- Coastal Risk;
- Contaminated land record;
- Australian Noise Exposure Forecast zone;
- Cattle Dip Site or Buffer area;
- Vulnerable Groundwater; and
- High Hazard Flood Area.

The site is mapped as being within the following key environmental overlays areas:

- Flood Planning (partial) and PMF (partial)
- Acid Sulfate Soils – Class 3;
- Bushfire Prone Land – Vegetation Buffer (partial);
- Coastal Use Area, Coastal Environment Area and Coastal Wetlands (partial) and Proximity Area for Coastal Wetlands (partial) and Littoral Rainforest (partial);
- Biodiversity Values (partial), Proximity Area for Littoral Rainforest, Koala Plan of Management Area, Preferred Koala Habitat (partial); and Fauna Corridor (Regional).

Other than the Coastal Use Area, these potential environmental risks are discussed in more detail below, along with broader discussions regarding cultural heritage significance and contamination. The Coastal Use Area is discussed in detail under **Section 4** of this EIS when addressing the applicable State Environmental Planning Policies.

2.3.3.13 Flood Planning

The subject site is mapped as flood prone, being partially affected by the design flood, climate change events and Probable Maximum Flood (PMF) extent.



Figure 2-21 | Current Flood Planning Area (Source: Flood Mapping, Tweed Shire Council)



Figure 2-22 | Current Design Flood Inundation Area (Source: Flood Mapping, Tweed Shire Council)



Figure 2-23 | High and Low Flow Flood Areas (Source: Flood Mapping, Tweed Shire Council)

Minimum flood planning levels of 3.1m and minimum climate change level of 3.5m are identified for the site under this current mapping. These levels include freeboard / habitable floor levels. The PMF level for the site is 4.1-4.2m AHD.

Tweed Shire Council is currently exhibiting draft new flood planning levels for the Tweed. The new levels are based upon a Defined Flood Event consisting of the highest (worst case) of the following:

- Tweed Valley Flood Study 2009 and Tweed-Byron Coastal Creeks Flood Study 2010 1% AEP (100 Year ARI) level (old DFE);
- The historic Flood of Record peak level (eg: 2022, 1989, 2017, 1954)
- To make reasonable allowance for Climate Change, the Tweed Valley Flood Study Update and Expansion 2024 0.2% AEP (500 Year ARI) level and the Tweed-Byron Coastal Creeks Flood Study 2009 0.2% AEP (500 Year ARI) level.
- A minimum of 2.9m AHD applied to coastal areas to reflect contemporary sea level rise projections

Under the draft new mapping, the extent of flood planning area and flood planning level at the site does not increase from the area and level currently mapped, and rather decrease by 0.1m. The draft levels adopt a 3.4m flood planning level (including climate change and freeboard). The new draft mapping is shown in the figure below.



Figure 2-24 | Draft New Flood Planning Level (Source: Flood Mapping, Tweed Shire Council)

The draft mapping does show an increased PMF level though, up from 4.1-4.2m to 4.5m. The new draft PMF mapping is shown in the figure below.



Figure 2-25 | Draft New PMF (Source: Flood Mapping, Tweed Shire Council)

The majority of the site, and notably all habitable floor levels (existing and proposed) are above RL 4.2m AHD and therefore above the current and draft flood planning levels.

Flood risk is therefore limited to PMF events, which marginally encroach some of the proposed building footprints. While there is minor encroachment of the mapping overly, the majority of the site is PMF free and PMF free access is provided from the site to the nearest emergency evacuation centre, located at Pottsville Beach Public School and or Pottsville Sports Centre, approximately 2.5km south of the site (refer to **Section 6.14**).

2.3.3.14 Acid Sulfate Soils

The site is mapped within the Class 3 overlay area under the Acid Sulfate Soils Map of the *Tweed Local Environmental Plan 2014* (Tweed LEP 2014). This mapping is shown in **Section 6** of this EIS.

Given the potential for Acid Sulfate Soils (ASS) to occur onsite, an **Acid Sulfate Soils Management Plan (Appendix J)** has been prepared, which included soil testing to confirm the presence of acidity in the soils.

ENV Solutions conducted an ASS investigation which included 8 boreholes, drilled to at 5m depth (1.5m below the proposed depth of disturbance). The results indicated that soil profiles from 2.5m to 5.0m are classifiable as ASS.

The presence of ASS has not been considered a significant environmental risk, and rather, a constraint that can be suitably managed through appropriate construction techniques. This is detailed further under **Section 6** of this EIS.

2.3.3.15 Coastal Wetlands

Coastal Wetland, mapped under *State Environmental Planning Policy (Resilience and Hazards) 2021*, adjoins the site to the west. This mapping encroaches the south-west corner of the site. This wetland mapping has been ground truthed and confirmed to be predominantly accurate, in that coastal wetland communities are present adjacent to and within the site. That said, the proposal has been designed to avoid and setback from mapped coastal wetland areas, avoiding direct impact.



Figure 2-26 | Coastal Wetlands (Source: Spatial Viewer)

2.3.3.16 Proximity to Coastal Wetlands and Littoral Rainforest

The vacant land within the site, that is subject to the proposed development, is mapped as predominantly being within the proximity area to the mapped Coastal Wetland that adjoins the site (refer to **Figure 2-26**).

The subject site is also located within the proximity area to mapped Littoral Rainforest. The Littoral Rainforest is mapped on the eastern side of Tweed Coast Road, opposite to the site and is associated with the dunal vegetation along the NSW Coastline. The proximity area for this mapped Littoral Rainforest affects the site's north-east, where existing seniors housing development stands (refer to **Figure 2-27**).

2.3.3.17 Bushfire

Tweed Shire Council's Bushfire Prone Land Map identifies the subject property as containing Category 1 Vegetation, Category 3 Vegetation and Bushfire Buffer. The subject site is therefore considered 'bushfire prone' land.

A **Bushfire Hazard Assessment** has been prepared by Bushfire Hazard Solutions Pty Ltd which indicates that a reasonable and satisfactory level of bushfire protection can be afforded to the subject development. This is detailed further under **Section 6** of this EIS.

2.3.3.18 Heritage Significance

No items of known cultural significance are within or near the site.

The history of the site and area, AHIMS records, Council's Cultural Heritage Management Plan and the **Aboriginal Cultural Heritage Assessment Report** prepared by Heritage Management and Planning for this proposal indicate that any likelihood for the land to contain items of cultural significance is low.



Figure 2-27 | Littoral Rainforest (Source: Spatial Viewer)

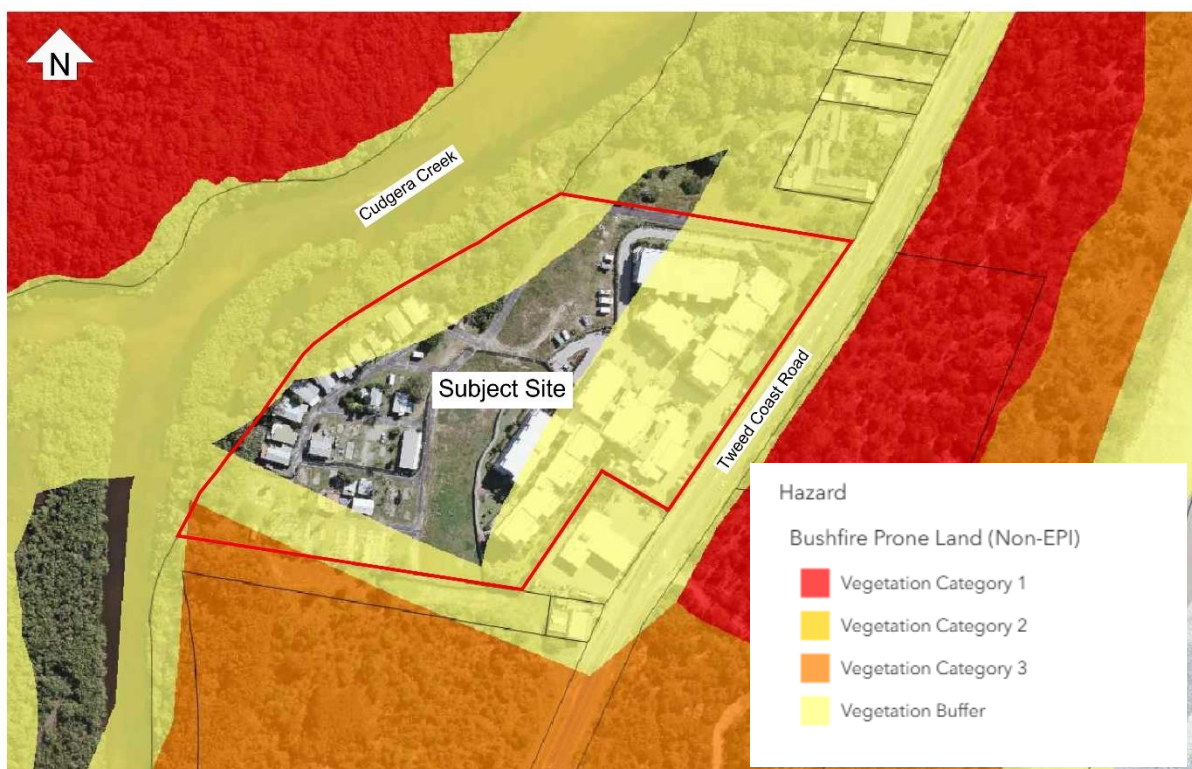


Figure 2-28 | Bushfire Mapping (Source: Spatial Viewer)

2.3.3.19 Contamination

A **Preliminary Site Investigation** (PSI) and subsequent **Detailed Site Investigation** (DSI) has been prepared by Martens & Associates.

The DSI has confirmed that the site is free from significant contamination related to past land uses and activities, making it suitable for the proposed seniors housing development. Soil samples taken across the site revealed low levels of metals and organic contaminants, all of which were within accepted criteria for human health and ecological safety. Additionally, asbestos was not detected in any sampled locations, and no significant debris or hazardous materials were identified during the soil inspections.

Groundwater samples from on-site monitoring wells indicated only minimal traces of metals, with non-detectable levels of hydrocarbons or other organic pollutants. The slightly elevated metal concentrations observed were attributed to the background quality of the site's groundwater rather than any ongoing contamination from nearby locations, such as the service station to the southeast.

In conclusion, the DSI prepared by Martens & Associates confirms that the site meets all necessary environmental safety criteria for the proposed use, with no further remediation warranted.

2.4 Cumulative Impact

As highlighted under **Section 2**, and later within **Section 4** of this EIS, the NSW strategic and statutory planning framework advocates for the delivery of aged care and retirement living. In many ways, this planning framework prioritises this form of development, acknowledging the State's increased ageing population and lack of safe and suitable housing for elderly persons.

The Tweed LSPS and Tweed LEP 2014 seek sustainable growth across identified greenfield and infill areas.

Despite the priorities and incentives under the State and local planning frameworks, there has not been a significant uplift or delivery of housing in the local area, and no new seniors housing provision. The most recent housing uplift project approved in Hastings Point, was the existing approval for this site. This was issued in 2007 and construction was completed in 2009.

All known / planned seniors housing developments within the broader locality are listed under **Appendix AM**. **Appendix AM** has been prepared in accordance with the Department's *Cumulative Impact Assessment Guidelines for State Significant Projects*.

The applicant has considered all of the major planned projects within the region and has identified a significant undersupply of seniors housing, including a deficit of ILUs and RAC beds in the broader Tweed Shire. This research is based on current and known future supply across the Tweed Shire (i.e. cumulative) as well as estimated population growth for the LGA.

Considering the above, the proposal represents planned development yet is the exceptional seniors housing project in the local area. Based on this, the proposal is not perceived to be contributing to or causing negative incremental or combined cumulative seniors housing development impacts.

The **Social Impact Assessment** prepared by HillPDA Consulting provides a Scoping Summary. This Scoping Summary was also prepared in accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects* (CIA Guidelines) (DPE, 2022). It advances the discussion above, also identify perceived potential cumulative impacts associated with the proposal.

The perceived cumulative impacts highlighted under the Scoping Summary within the **Social Impact Assessment**, include increased population to Hastings Point and the Tweed region, the potential impacts on social services and the broader community, visual / built form character, supporting additional development within a floodplain, construction impacts and broader traffic implications.

For the most part, these perceived potential cumulative impacts have been addressed through the evidence and modelling provided under this EIS and supporting reports, that demonstrate the proposal's compatibility with the surrounding environment. Management techniques and design features have also been proposed to help mitigate potential negative impacts through the construction and operation phases of the development.

The cumulative impact assessment for each of these perceived cumulative impacts can be found at:

Social impacts associated with an increased population,

- **Section 2 & 6** of EIS
- **Social Impact Assessment (Appendix U)**

Visual / built form character,

- **Section 2 & 6** of EIS
- **Architectural Design Report (Appendix E)**
- **Visual Impact Assessment (Appendix AK)**
- **Pedestrian Wind Environment Statement (Appendix W)**

Floodplain Development,

- **Section 2 & 6** of EIS
- **Hydrological Impact Assessment (Appendix AD)**

Construction Impacts,

- **Section 6** of EIS
- **Construction Traffic Management Plan (Appendix AL)**
- **Noise Impact Assessment** (incl. Construction Noise and Vibration Management Plan) (**Appendix F**)
- **Waste Management Plan (Appendix Z)**
- **Stormwater Management Plan (Appendix K) & Erosion and Sediment Control Plan (Appendix L)**
- **Arborists Report (Appendix V)**
- **Acid Sulfate Soils Management Plan (Appendix J)**

Traffic,

- **Section 2 & 6** of EIS
- **Traffic Impact Study (Appendix G)**

Specific to traffic, it is important to note that while there are other significant residential development projects being proposed and delivered within the Tweed LGA (refer to **Appendix AM**), these projects are located within localities that sit either north, south or west of the Hastings Point locality. The site and Hastings Point locality sit east of the Pacific Motorway (M1) and between northern and southern road links to the Pacific Motorway. In this sense, construction and the majority of operational traffic associated with these broader developments will not need to travel through Hastings Point. This is considered under the **Traffic Impact Study (Appendix G)**, when confirming the anticipated construction and operational traffic generated by the development in the context to other settlement areas and projects throughout the region. In doing so, the Traffic Impact Study concludes that the proposal will not lead to traffic implications for the broader road network.

2.5 Agreements

There are no planning agreements, negotiated agreements or benefit sharing schemes applicable to the subject site.

2.6 Alternatives Considered

There have been 4 primary options considered by the Applicant in responding to the strategic need and objectives for the development of the site.

This includes not undertaking any works on the site, proceeding with the existing approved development, proceeding with an alternative layout and proceeding with the current proposed layout.

2.6.1 Do nothing

Under the 'Do Nothing' scenario, the site would continue to remain as it is. This includes the site would continue to only operate 91 ILUs and vacant, underutilised private land would remain.

This option does not provide a desirable outcome as it fails to adequately plan for future growth and opportunities to increase the diversity of housing types and care for seniors within the Tweed LGA. It also does not achieve the intent and findings of the current land use approval for this site, which found the land is suited for additional seniors housing provision.

The subject site is distinct from most other land within Hastings Point due to its large lot size (approximately 37,970m²), R1 General Residential zoning and existing established 3 storey residential flat building typology. These unique characteristics provide a critical opportunity to deliver fit-for-purpose housing and unlock housing availability. Similar opportunities are scarce and should not be underutilised when an opportunity presents.

As noted above, the site has previously been tested for and approved for development of a 3-storey built form and the 3-storey built form has been established on the site through construction of Stage 1. The proposed development outcome is comparable to the approved development outcome and does not result in development at the site that is inconsistent with the established building height or established community expectations for development on the site. Furthermore, impacts associated with building height such as amenity, overshadowing, visual impact and visual privacy are all demonstrated through the various technical studies to be effectively managed through setbacks, building siting and orientation of the proposed buildings.

Not proceeding with the development would:

- Remove 51 ILUs and 47 RAC beds from the pipeline of potential seniors housing supply within the area;
- Continue the trend of no new seniors housing projects proposed in Hastings Point since the existing development was approved;
- Place additional pressure on substantial housing need, including diverse housing need such as seniors housing and residential aged care;
- Appear inconsistent with State priorities and the relevant strategic framework; and
- Be unnecessary and not based on evidence.

In consideration of the above, a 'Do nothing' scenario is not considered to be a reasonable or realistic alternative.

2.6.2 Alternative Design Option 1

Development of the 'as approved' Stages 2 and 3 on the western portion of the site was considered (refer to **Figure 2-29**).

Buildings D1, D2, E, G1 and G2 of the existing Development Consent for DA06/0413 (as modified) provided 94 supported living units (hostel). Each unit was 2-bedroom, and each building provided a communal laundry and dining hall. This provided services of meals, laundry and cleaning on a shared basis.

Building F was a RAC comprising 67 single bed units (rooms) and staff amenities around a centralised communal lounge/dining area per level, facilitating high level care facilities to residents.

Lastly, an existing space within Building B was approved to be retrofitted as a kitchen and laundry, for use by the housing provider to offer meal and laundry services to residents.

TriCare has reviewed the balance of the approved development and concluded that the design and services provided no longer responds to the contemporary vision of senior living needs and requirements. The approved development would not satisfy contemporary guidelines, falls short of achieving minimal aging in place design initiatives, internal dimensions, expectations for residential amenity including solar access and, and may not satisfy NCC requirements.

In short, Stage 2 and 3 of the approval will not be delivered. Tweed Shire Council and legal opinions have been formed that altering the existing approved design through a modification to the existing

Development Consent to address these matters would result in the development not being 'substantially the same'.

Accordingly, TriCare has elected to review the balance of the master plan and embark on a new delivery outcome for the balance stages of the seniors housing community.

2.6.3 Alternative Design Option 2

A preliminary design scheme was considered and presented to Government Architect NSW at a State Design Review Panel SDRP meeting on 8 June 2022 (refer to **Figure 2-30**). This scheme sought to improve internal dimensions and resident amenity through reduced number of new seniors living units from the approved 94 down to 74, as well as a reduced number of approved high care facility beds from 67 to 44.

With the shift to allow more independence of dwellings, more parking was also proposed by way of basement provision to all buildings (previously Stage 1 buildings only had basements). This resulted in increased parking provision, while retaining more landscape area and permeable surfaces at ground level.

The building orientation and siting was largely consistent with the 'as approved' Stages 2 and 3, except for the RAC which was modified to a rectangular building form. The intent was, for the most part, to deliver a 'substantially the same' development to the existing approval while providing better housing and community support services.

In line with feedback from the SDRP, this alternative was not pursued to achieve an even higher level of amenity for residents regarding solar access, privacy and outlook.

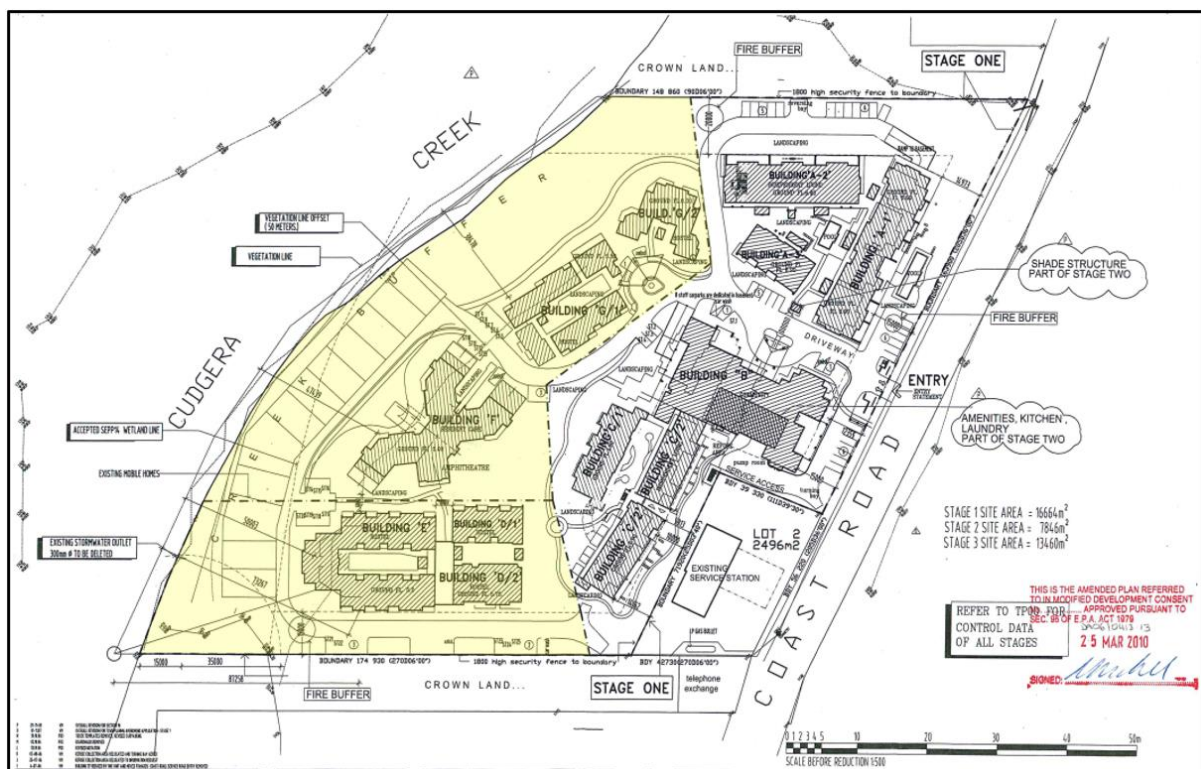


Figure 2-29 | Approved Site Plan / Alternative Design Option 1



Figure 2-30 | Alternative Design Option 2

2.6.4 This Proposal

The proposal (refer to **Figure 2-31**) involves development for the purposes of seniors housing as outlined in this SSD Application (as described in **Section 3 & 4** of this EIS).

The proposal will facilitate the efficient construction of a high-quality design that directly responds to the strategic need for seniors housing and aged care beds, the as well as the site's attributes and context and contemporary seniors housing requirements and desires. This is detailed further within **Section 3** of this EIS.

This preferred masterplan arising from the alternative scenarios is the best possible, and preferred outcome for the site.

On balance, the proposed design, is considered the best scenario as it:

- provides housing and living arrangement, based on contemporary best practice design and living standards
- is considerate of existing development on the site, including appropriate separation distances between buildings, minimising potential overlooking and overshadowing, maintaining desirable view corridors, and maintaining a similar (but contemporary) architectural character.
- Incorporates passive environmental design including solar ingress to living spaces and private open spaces, natural light and ventilation to all habitable rooms, cross ventilation, water harvesting, and solar farming.
- integrates with the existing community, ensuring that senior residents can easily navigate the village and surrounding areas, with accessible infrastructure that supports mobility and independence.



Figure 2-31 | Proposed Master Plan

3 Project Description

3.1 Project Overview

The proposal is designed to provide high-quality seniors housing, integrated with the existing community which will enable TriCare to provide a greater range of services from one convenient location, creating a retirement community that supports ageing in place.

The proposed development comprises both ILUs and a RAC that will all be supported by a range of other services.

Specifically, the proposal comprises:

- A 47 place RAC (Building D) comprising:
 - individual private rooms with ensuite facilities;
 - shared dining, lounge and sitting rooms;
 - café;
 - kitchen;
 - serveries;
 - nurses stations;
 - offices;
 - staff room and facilities;
 - waste room; and
 - loading bay.
- 51 ILUs split across 3 buildings, including:
 - 24 ILUs in Building E
 - 18 ILUs in Building F
 - 9 ILUs in Building G.

The proposal also includes a variety of communal facilities to support an active and connected community. These facilities include:

- A bowling green and pavilion equipped with a bowls store, amenities, kitchen, and a covered seating area;
- An indoor swimming pool and spa, with amenities and a viewing area;
- A perimeter walking trail for exercise and recreation; and
- Landscaped gardens designed to enhance the visual amenity while providing a space for passive recreation.

The proposed development will provide an important contribution to support the needs for seniors living within the wider Tweed Coast catchment area and has been designed ensuring continuity and cohesion across the site.

No changes are proposed to the existing Stage 1 development.

Artistic impressions of the proposed development are provided in **Figures 3-1 – 3-3**.

The key development elements associated with the proposal are shown on the **Architectural Plans** prepared by Arqus Design (refer to **Appendix A**) and are summarised in the sub-sections below.



Figure 3-1 | Concept Masterplan (Source: Arqus Design)



Figure 3-2 | Artistic Impression – The Bowls Green with Building E behind (Source: Arqus Design)



Figure 3-3 | Artistic Impression – Looking towards Building E (Source: Arqus Design)

A detailed summary of the proposed development, which also considers the existing Stage 1 development is provided in **Table 3-1** below.

Table 3-1 | Proposed Development Summary

Component	Details	
Housing Diversity	• RAC – - 47x single rooms with ensuites • ILUs – - 51x 2-bedroom units	
Supporting services (ancillary)	• Indoor swimming pool, sauna and steam room • Bowling green and pavilion • Café • Multipurpose rooms • Offices • Back of house areas (including reception, staff room, amenities, kitchen, store rooms, refuse room and other service areas)	
Height of Buildings (maximum)	Building D – 12.205m	Building E – 11.912m
	Building F – 11.580m	Building G – 11.920m
	Bowls Pavilion – 4.300m	Pool House – 5.700m
Setback from Boundaries (minimum)	Building D – 28m	Building E – 28m
	Building F – 15m	Building G – 18m
	Bowls Pavilion – 45m	Pool House – 47m
Gross Floor Area	Building D – 3,483.24m ²	Building E – 2,967.43m ²

Component	Details	
	Building F – 2,160.36m ²	Building G – 1,161.31m ²
	Bowls Pavilion – 75m ²	Pool Pavilion – 435m ²
	Existing Stage 1 – 15,790m ²	Total GFA – 26,072.34m ²
Floor Space Ratio	0.68:1 (Total Site)	
Deep Soil Zones	12,329.86m ² (32%) (Total Site)	
Landscaped Area	Proposed – 14,126.67m ²	Existing (Stage 1) – 5,439.16m ²
	<i>Total Site – 19,565.83m² (52%)</i>	
Communal Open Space	Outdoor: - Existing (Stage 1) – 4,675m ² - Proposed – 11,586m ² <i>Total – 16,261m² (43%)</i>	Indoor: - Existing (Stage 1) – ~1,200m ² - Proposed – 510m ² <i>Total – 1,710m² (4.5%)</i>
	<i>Total (Indoor and Outdoor) – 17,971m² (or 47%)</i>	
Vegetation Removal	Northern Sands Tuckeroo-Banksia Forest (PCT 3132): 0.07ha	
	Far North Paperbark Fern Swamp Forest (PCT 3989): 0.03ha	
	Mixed Native-Exotic Landscaping Plantings (Included in Exotic Dominated Grassland)	
	Exotic Dominated Grassland: 1.65ha	
	Previously Cleared Land: 0.22ha	
	<i>Total Vegetation Removal Area: 1.97ha</i>	
Car Parking	On grade - Existing (Stage 1) – 20 - Proposed – 19 <i>Total - 40</i>	Basement - Existing (Stage 1) – 112 - Proposed – 96 <i>Total - 208</i>
	Total (On grade and basement) 248	
	Proposed - Ambulance - 1	
Bicycle Parking	52 spaces	
Vehicular Access	Entry and exit via existing driveway crossover to Tweed Coast Road	
Construction Hours	7am to 5pm (Monday to Friday) 8am to 3pm (Saturday) No work on Sundays or Public Holidays	

Component	Details
Estimated development cost	\$87,583,995 excl. GST

3.2 Site Preparation Works

3.2.1 Remediation

The DSI by Martens & Associates has confirmed that the site is free from significant contamination, making it suitable for the proposed seniors living development. No further contamination testing or site remediation has been recommended.

The **Construction Environmental Management Plan (Appendix AM)** includes unexpected finds procedures should unexpected contamination be encountered during ground and/or groundwater disturbance.

3.2.2 Vegetation Removal

The proposal is accompanied by a comprehensive BDAR prepared by Cumberland Ecology (refer to **Appendix T**), which confirms the need to clear or modify vegetation at the site. This includes clearing some of the prior restoration planting area at the site, as well as the removal of a mature fig tree. This clearing has been identified as necessary to accommodate Asset Protection Zones (APZs), as opposed to siting new development.

Specifically, the proposed development will result in 2.14ha of direct vegetation clearing within the subject site, comprising:

- Northern Sands Tuckeroo-Banksia Forest (PCT 3132): A small portion of 0.04ha in restoration condition and 0.03ha associated with a mature fig tree will be cleared to accommodate the development;
- Far North Paperbark Fern Swamp Forest (PCT 3989): Approximately 0.03ha of this forest type, located in existing grassland areas, will also be cleared;
- Mixed Native-Exotic Landscaping Plantings: Approximately 0.18ha of planted native vegetation;
- Exotic Dominated Grassland: Approximately 1.65ha of exotic dominated grassland will be selectively cleared; and
- Cleared Land: An additional 0.22ha of previously cleared land, will be cleared.

No clearing of native vegetation, or harm of marine vegetation, will be undertaken on land mapped as a Coastal Wetland under the *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP).

The number of trees to be removed within this 2.14ha area of clearing to achieve the required APZs, has been reported in an **Arborists Report** prepared by TPZ Project Arborists. This report identifies 17 trees for removal. This clearing has been confirmed as critical for the safety of the approved development footprint as well as the proposed development. Trees in poor condition have been targeted to achieve the required canopy thinning, along with Bumpy Ash species, given this species does not appear to occur in the more established 'natural' areas along the creek bank. As this species appears to shed lower branches as they grow, these are therefore not an ideal species near buildings.

3.2.3 Earthworks

The **Civil Engineering Report**, prepared by Cozens Regan, includes calculations addressing the management of cut, fill, and exported materials for the proposed development (refer to **Appendix M**).

The proposed development will involve earthworks to create suitable building platforms, basement car parking levels, and overland flow paths.

The cut and fill balance results in a deficit of 8,000m³ of excavated material that will need to be exported off-site. Excess material will be transported by heavy vehicle to an approved landfill facility or other approved site for use as engineering fill.

All fill material required for the construction will be sourced from the material won on-site.

Erosion and sediment control measures will be implemented throughout the earthworks process in line with best practices, as outlined in the **Stormwater Management Plan** and **Erosion and Sediment Control Plan** prepared by Cosens Regan (refer to **Appendix K** and **Appendix L**).

3.3 Built Form

3.3.1 Design Intent

The proposed development has been carefully designed to integrate with the existing Hasting Point retirement community while enhancing the overall built environment.

The architectural approach is detailed in the **Architectural Design Report** prepared by Arqus Design (refer to **Appendix E**). It respects the site's current development by ensuring appropriate separation between buildings. The building separation helps minimise issues like overlooking and overshadowing, while also preserving important view corridors. The design features contemporary architecture that complements the existing retirement community, using materials inspired by the local landscape to connect the buildings with their surroundings and create a welcoming, natural atmosphere.

The development prioritises passive environmental design, incorporating elements such as solar access, natural light and ventilation, cross ventilation, water harvesting, and solar farming. The buildings are made with durable, low-maintenance materials like face blockwork, pre-finished metal, and colorbond roofing to ensure longevity. The apartments are designed to meet high standards for accessibility and aging in place, with universal design features in line with Liveable Housing Guidelines. Public spaces are also designed for all-ability access.

To promote safety and community engagement, the design follows principles of Crime Prevention Through Environmental Design (CPTED), with passive surveillance from the apartments overlooking communal spaces. The development also includes additional amenities for residents. The buildings feature a varied, articulated envelope with stepped forms and fine grain elements, such as screens and sunshades, creating an aesthetically pleasing and comfortable environment. The natural materials and thoughtful orientation of the buildings foster a connection with the landscape, enhancing the residents' experience of the site and its surroundings.

Finally, the design ensures privacy and comfort for the residents, with apartments oriented to overlook the Cudgera Creek frontage and communal spaces. The layout minimises overlooking between buildings, and each apartment includes private outdoor space that connects with the natural surroundings. Vehicle access is carefully planned to avoid disturbing the residential spaces, ensuring a tranquil environment for all residents.

3.3.2 Residential Aged Care Home

The proposed development includes the construction of a 3-storey RAC, designed to reflect a modern coastal aesthetic.

The RAC will house 47 individual rooms, each with an ensuite, spread across three floors. These rooms are arranged around centrally located lounge and dining areas, with each floor featuring a balcony off the lounge for outdoor relaxation and connection with the environment.

Essential services such as the nurses' station, sitting and lifts are strategically positioned at the building's core, with additional quiet sitting areas provided at either end of the central walkway.

The ground floor will house key community spaces, including a café with both indoor and outdoor seating, a foyer, and a lounge area for residents and guests. Additionally, the RAC offers seamless access to outdoor amenities, including the swimming pool, bowling green, and passive recreation spaces, fostering social integration and well-being through pedestrian walkways and outdoor connections.

Back-of-house facilities on the ground floor include staff rooms, offices, amenities, storage, a waste room, reception area, a central kitchen, and a loading bay, ensuring smooth operational functionality and support for the residents.

3.3.3 Independent Living Unit Buildings

The proposed development includes the construction of 3 new 3-storey ILU buildings – Buildings E, F, and G, as detailed in the **Architectural Plans** (refer to **Appendix A**).

Building E will contain 24 units. 12 units will be 2-bedroom units with a multipurpose room. The remaining 12 units will be standard 2-bedroom units. Building F will have 18 units, including 12 standard 2-bedroom units and 6 units with 2-bedrooms and multipurpose room. Building G will feature 9 units, with 3 standard 2-bedroom units and 6 units 2-bedrooms and multipurpose room. The units vary in size, ranging from 100.52m² to 122.59m² of internal space.

Each unit is self-contained and includes either a substantial courtyard or a private balcony for outdoor living. The upper-level units are accessible via either two centrally located lifts or a single lift in the case of Building G and emergency access stairs.

All units are dual aspect, providing natural light and ventilation, and the corridors are semi-open to the elements, enhancing the connection to the surrounding environment.

3.3.4 Supporting Facilities

In addition to the ILUs and RAC, the development includes a variety of communal spaces designed for entertainment, health, and both active and passive recreation. Positioned primarily on or near the ground floor, these facilities are centred around a communal precinct for easy access by both current and future residents.

Key features include:

- A café within the ground floor of the RAC for casual dining and socialising for residents.
- Offices for administrative and operational needs;
- A staff room with essential facilities;
- A waste room for efficient waste management;
- A loading bay to accommodate deliveries and logistics;
- A bowling green and pavilion with a bowls store, amenities, kitchen, and a sheltered seating area for social gatherings;
- An indoor swimming pool and spa, with associated amenities and a viewing area for relaxation;
- A perimeter walking trail that encourages outdoor exercise and recreational activities; and
- Landscaped gardens designed to enhance aesthetic appeal while providing tranquil spaces for passive recreation.

These amenities are for the exclusive use of residents and guests and are not operated as independent land uses, distinct from the seniors housing component. Additionally, the site is designed with passive open spaces, pedestrian pathways, seating nodes, and gardens that link the proposed buildings to the existing Stage 1 development and connect to the Tweed Coast Road entrance.

3.3.5 Materials and Finishes

The proposed development will incorporate a diverse range of materials and finishes to establish a modern, high-quality design that harmonises with the surrounding environment, while ensuring visual appeal and enhancing the amenity of the existing development.

Materials of natural colours, tones, and textures have been carefully selected to express a strong connection to the landscape and country. Varied fenestration styles and colours, designed to complement the local environment, reflect the natural beauty of the site and its surroundings.

A detailed material palette is outlined in the **Architectural Design Report** by Arqus Design (refer to **Appendix E**), featuring a combination of textural and warm materials that add depth to the building's

overall composition. The warm tones and coarse textures of blockwork emphasise a connection to the earth, while the varied green accents and timber-look cladding and screens incorporated throughout the building facades evoke the surrounding native plant species of the site.

Through this thoughtful selection of materials, the design reflects the existing textures, colours, and natural elements of the local area, enhancing the connection to the landscape and region, while contributing to the broader environmental context.

3.3.6 Connecting with Country

The Connecting with Country framework helped refine the architectural response, which has been developed conscious of its location within the Cudgera Creek catchment, a culturally significant waterway and through the generous sharing of knowledge by the Registered Aboriginal Parties during consultation workshops led by Heritage Management and Planning Pty Ltd.

The buildings are generally orientated to the northwest, maximising connectivity with the natural environment of Cudgera Creek and Cudgen Nature Reserve. The provision of a gravel pathway between the buildings and the creek, provides a physical connection allowing residents and visitors to move between the built form of the buildings and the coastal/ riparian landscape.

The height of the main buildings while equivalent to the mature riparian vegetation, also enable catchment views through the canopy to the creek, hills and horizon.

The open space along Cudgera Creek is curved, with the widest portion to the south, providing opportunities for viewing the hillside and horizon of Cudgen Nature Reserve. The narrowing of the open landscape towards the north allows for appreciation of riparian habitat, the mangrove forest and the rhythm of tides through Cudgera Creek.

The built materials have also been inspired by the local landscape and assist in grounding the buildings into the site, providing a soft and natural tone to the buildings creating a welcoming comfortable quality to the development.

Further details are provided in the **Connecting With Country Design Report** in **Appendix O**.

3.4 Access, Traffic and Parking

The proposed development will extend and enhance the existing access arrangements to provide direct entry to the new buildings and facilities.

Site vehicular access will be maintained through the existing two-way entry point on Tweed Coast Road. This entry, which currently serves the site and existing facilities, will accommodate residents, visitors, service vehicles, and emergency vehicles for the expanded development.

Additionally, a dedicated 4.5m wide perimeter emergency access track will be constructed along the western edge of the site, featuring 6m wide passing bays to ensure safe and efficient movement of emergency vehicles around the development.

Each new building will include a basement car parking level designed to serve residents, visitors, and staff. **Table 3-2** summarises the car parking provision for each proposed building.

Table 3-2 | Proposed Parking Provision

Building	Car Parks	AS2890.6 Compliant Spaces	Bicycle Racks
Building D	23	2	0
Building E	33	12	26
Building F	28	8	17
Building G	12	2	9

Visitor	19	1	
Total	115	25	52

A dedicated ambulance bay is provided within the basement of Building D.

A **Traffic Impact Study** has been prepared to assess the traffic and parking impacts of the proposed development (refer to **Appendix G**).

3.5 Landscaping

Landscape Plans, prepared by Arcadia, are provided as **Appendix AA**. The proposed landscape design emphasises ecological integration and community recreation. The design incorporates a pathway network that connects a variety of outdoor spaces, communal green spaces, and seating areas.

Key elements include:

- A network of pathways links smaller outdoor rooms along the site, offering shaded communal nodes with tables, seating, and lawns for various outdoor activities;
- A central community hub including a pool pavilion, bowls green, and gathering areas to enhance the community aspect of the proposal;
- Ecological restoration along Cudgera Creek, using indigenous plants to improve biodiversity and create habitats for local fauna;
- Retaining no hard fence to the frontage of Cudgera Creek, though stepping hard landscaping and paving back from the creek edge and outside of the core rehabilitation areas. This integrates this important resource into the site and residential experience, while protecting its important values; and
- Deep soil planting allowing significant landscaping to be provided throughout the development for achieving good screening and privacy for all residents.

This landscape approach aims to create a sustainable, active, and socially cohesive environment that aligns with the natural features of the site and surrounds.

3.6 Waste Management

A comprehensive **Waste Management Plan** has been prepared by HMC Environmental Consulting (refer to **Appendix Z**). The **Waste Management Plan** outlines the management of waste generation, storage, and collection during both the construction and occupation phases.

The key components and objectives of the **Waste Management Plan** include:

- Waste Management During Construction:
 - Designated waste storage areas will be established on-site with the capacity to accommodate various types of waste.
 - Waste will be sorted into categories such as general waste, co-mingled recyclables, and heavy materials like masonry and concrete.
 - These waste streams will be collected in skip bins of 6m³ each, which will be serviced on demand to ensure efficient waste removal.
 - Excavation materials, particularly those that cannot be reused on-site, will be transported off-site to approved disposal facilities, following waste classification requirements.
- Waste Management During Occupation:
 - Each building will be equipped with dedicated waste storage areas located within the basement car parks, close to lift wells.
 - Bins will include 360L Mobile Garbage Bins (MGBs) for general waste and recyclables, and 240L MGBs for organic waste.
 - The waste storage areas will be designed for easy cleaning, including cold water supply and sewer-connected drainage for regular cleaning of bins and storage rooms.

- A waste manager or maintenance person will be responsible for transporting the bins from the basement storage areas to temporary collection points located onsite.

3.7 Utilities

The servicing strategy for the TriCare development is detailed within the **Civil Engineering Report** prepared by Cozens Regan (refer to **Appendix M**).

3.7.1 Water

The site is currently supplied by a 200mm main within the western verge of Tweed Coast Road, which forms part of the Council's potable water reticulation network. A water service connection from this main is already in place, supplying the existing development.

The proposed development will be serviced by extending the internal private water and fire reticulation network that currently supports existing (Stage 1) development. This extension will ensure that the new buildings receive adequate water supply and fire service coverage.

As detailed within the **Civil Engineering Report** (refer to **Appendix M**), the 200mm main has sufficient capacity to meet the additional demand generated by the proposed development. Furthermore, the overall water demand for the site is expected to decrease due to the reduction in the total number of units compared to the previous approval, allowing the existing system to efficiently accommodate the needs of the proposed development.

3.7.2 Wastewater

A 150mm diameter Council gravity sewer main is located within Tweed Coast Road at the front of the site.

The existing development includes a private sewer pumping system located to the northeast, which discharges through a private rising main to a property connection at the northeast corner, linking to the Council sewer. This existing pumping system and rising main are proposed to be maintained to continue servicing the existing (Stage 1) development.

A new, second private sewer pumping system is proposed adjacent to the existing pump, to service the new buildings by gravity. This new system will include a separate rising main that will connect to the Council sewer within Tweed Coast Road through a new property connection.

Notably, the proposed development includes a reduction in the total number of units compared to the previous approval, resulting in a decrease in the overall water and wastewater demand for the site. As a result, the existing infrastructure is expected to have adequate capacity to accommodate the additional flow from the new stages (refer to **Appendix M**).

3.7.3 Stormwater

The **Stormwater Management Plan** prepared by Cozens Regan (refer to **Appendix K**) outlines a comprehensive approach to managing stormwater runoff and maintaining water quality.

This strategy seeks to extend the existing gravity drainage system that services the existing development at the site, to accommodate the new development. Stormwater will be collected through an expanded piped network, directing discharge by gravity to the lawful point of discharge, being Cudgera Creek, consistent with the original Stage 1 development. To manage pollutants, Oil and Grit Separators will be added to filter suspended solids and oils from hardstand areas. Additionally, new infiltration trenches are designed to control peak discharge by allowing stormwater to infiltrate into the ground, addressing the increase in runoff from expanded impervious surfaces. Regular maintenance of these extended systems will ensure continued compliance with environmental standards and effective water quality management.

An **Erosion and Sediment Control Plan** has also been developed prepared by Cozens Regan (refer to **Appendix L**), to prevent pollution and degradation of the downstream catchments during construction.

3.7.4 Other Services

The site is currently serviced by existing essential energy and telecommunications infrastructure, which includes both underground and overhead lines running along the frontage of the site within Tweed Coast Road. These services are expected to be sufficient to meet the needs of the proposed development.

As detailed in the **Civil Engineering Report**, the location and serviceability of these existing essential energy and telecommunications services will be confirmed during the detailed design phase, though capacity is assumed given the existing service connections were made at a time when the full development scenario for the site under the 2007 development approval was progressing.

3.8 Staging and Sequencing

Prior to the start of staged construction, initial site preparation works will be carried out to create access roads and establish essential infrastructure. After these preliminary tasks are completed, the development will proceed in 4 stages, as outlined in the **Site Staging Plan** in Appendix B. The stages may be executed in any order, depending on construction needs and scheduling.

However, the anticipated stages of development are as follows:

- Stage 1: Construction of Building E including basement carpark, building shell, fit outs, internal roadways, and landscaping;
- Stage 2: Construction of Buildings F and G including basement carpark, building shells, fit outs, internal roadways, and landscaping;
- Stage 3: construction of communal pool pavilion, bowling pavilion and bowling green, including building shells, fit outs and landscaping; and
- Stage 4: construction of Building D including basement carpark, building shell, fit outs, internal roadways, and landscaping.

The **Site Staging Plan** provides a clear and coordinated framework for the delivery of the proposed development, ensuring logical progression of the development while minimising disruption to the existing facilities. Additionally, the **Site Staging Plan** will allow for the effective management of construction activities and the timely delivery of seniors housing and amenities.

For further information regarding construction and staging refer to the **Construction Environmental Management Plan (Appendix AM)** and **Construction Traffic Management Plan (Appendix AL)**.

3.9 Construction Management

The proposed hours of construction are as follows:

- Monday to Friday: 7:00am – 6:00pm
- Saturday: 8:00am – 4:00pm
- Sunday and Public Holidays: No construction work

During the staged construction of the proposed development, the following measures will be implemented to maintain the safety and amenity of residents, visitors and staff in the earliest stages:

- Appropriate fencing, separation and protection measures;
- Increased cleaning efforts; and
- Appropriate construction management of potential offsite impacts, including dust, noise and vibration, traffic and visual impacts.

Regular communication with residents and other stakeholders will be undertaken as a key element in the effective operational management of the proposed development. TriCare has embedded communication and complaints processes for prompt effective investigation and response to any resident or other stakeholder concerns. TriCare will establish a pre-emptive and proactive communication approach in engaging with all stakeholders likely to be impacted by the construction.

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TriCare (Hastings) Limited

www.planitconsulting.com.au

TriCare will employ a site-based management team from the first stage of the proposed development, to effectively coordinate and manage the facility, including responding to feedback from residents and other stakeholders.

4 Statutory Context

This section identifies the relevant statutory requirements for the TriCare Hastings Point Development.

Consistent with the DPHI Guidelines for *Preparing and Environmental Impact Statement*, this section confirms the statutory requirements that must be considered before the TriCare Hastings Point Development may be determined. This section of the EIS focuses on the statutory requirements that are relevant to the justification and evaluation of the project.

The responses below are structured consistent with the format of Table 2 of the Department's Guidelines.

4.1 Power to Grant Approval

Permissibility to approve the TriCare Hastings Point Development is discussed below under **Section 4.2** of this EIS.

The development is classified as State Significant Development under Section 2.6 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) via Schedule 1 of the SEPP. The TriCare Hastings Point Development is:

- seniors housing;
- development with an estimated development cost of more than \$20 million;
- outside of the Greater Sydney Region; and
- comprising a residential care facility.

The consent authority for the TriCare Hastings Point Development is therefore the Minister of Planning (or DPHI as their delegate), as prescribed under Section 4.5 of the EP&A Act.

4.2 Permissibility

4.2.1 Land Use Definition

The proposed development is defined as 'seniors housing' under the Tweed LEP 2014.

Seniors housing means a building or place that is—

- (a) a residential care facility, or
- (b) a hostel within the meaning of *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 5, or
- (c) a group of independent living units, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c), and that is, or is intended to be, used permanently for—
- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place, but does not include a hospital.

Note—

Seniors housing is a type of residential accommodation—see the definition of that term in this Dictionary.

The TriCare Hastings Point Development comprises a residential care facility and 51 additional ILUs that are used permanently by seniors, their households and staff. Aged care services proposed onsite, including the café, kitchen, dining areas, offices and reception, are ancillary to the proposed seniors housing development, as described below in **Section 4.2.4** of this EIS.

4.2.2 Local Environmental Plan

The subject site is zoned R1 General Residential under the Tweed LEP 2014 (refer to **Figure 4-1**). Seniors housing is a permissible land use with consent under the R1 General Residential land use table of the Tweed LEP 2014.

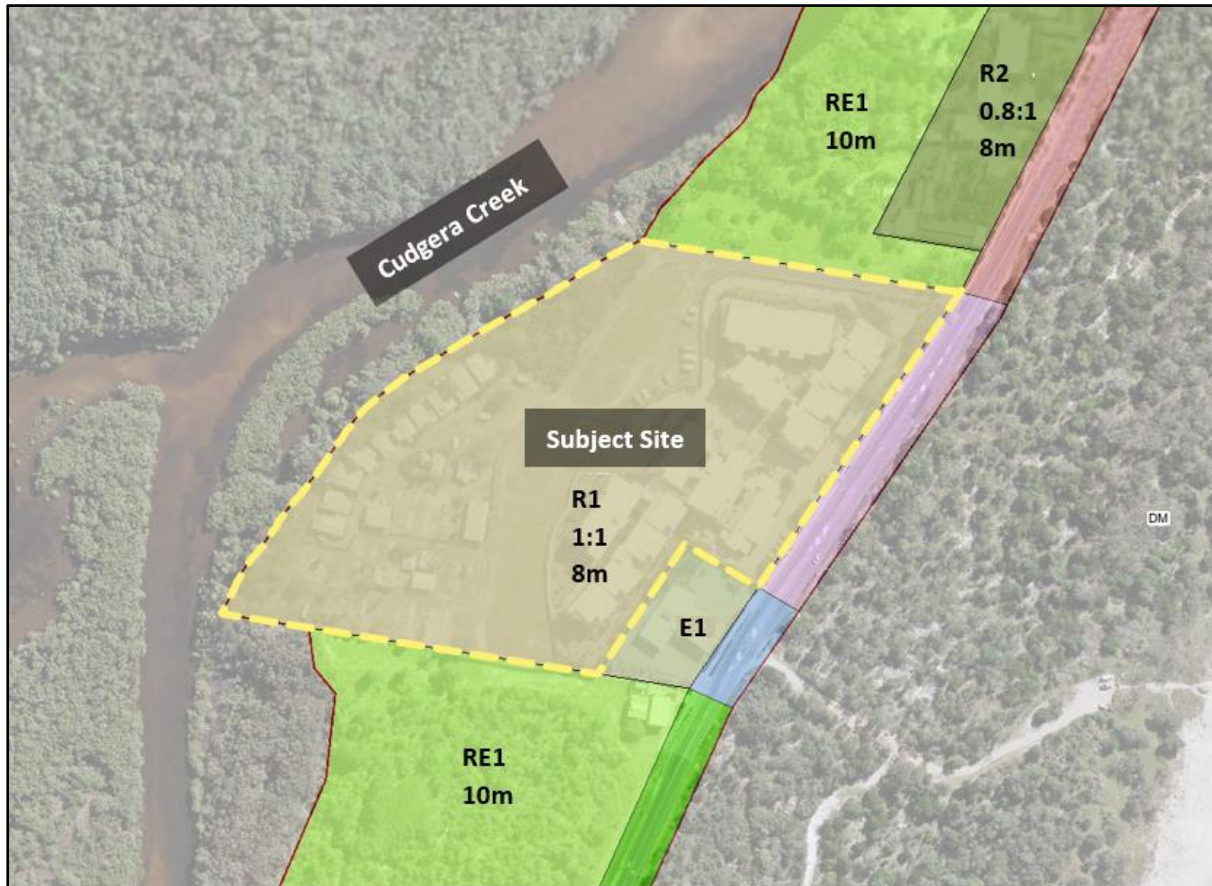


Figure 4-1 | Tweed LEP 2014 Principal Planning Controls

4.2.3 Housing SEPP

The R1 General Residential zone is listed as land to which Part 5 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) applies.

Specific to Section 80 of the Housing SEPP

- The site is not subject to the *Warringah Local Environmental Plan 2000*.
- The site does comprise mapped Coastal Wetland under the Resilience and Hazards SEPP; however, no development is proposed within this mapped area. That is, this mapped land does not form part of the proposed development. The land that is subject to proposed development does not meet the definition of Environmentally Sensitive Land within Schedule 3 of the Housing SEPP.

Consequently, the site is not excluded from Part 5 of the Housing SEPP.

Given the SEPP applies, seniors housing is permitted in accordance with Section 81(a) and (b) of the Housing SEPP.

4.2.4 Ancillary Development

The RAC and central precinct contain a range of supporting facilities which are ancillary to the seniors housing development and are available for the use of onsite residents and guests. These facilities include:

- Café;
- Bowling green and pavilion;
- Indoor swimming pool and spa;
- Offices for TriCare's care and support services and operational staff;
- Back of house and staff facilities; and
- Communal and private open spaces.

The proposed seniors housing development seeks to foster a sense of community among residents, promote healthy resident lifestyles and resident support and create a development which is well connected and integrated to its surrounds. The ancillary facilities will be operated to facilitate resident support as well as social interactions and gathering between seniors housing residents and guests.

In the case of the proposed development for the purpose of seniors housing, and when considering Planning Circular 13-001 and PS18-008:

- The supporting facilities are a component that serves the dominant purpose of the seniors housing development. That is, the supporting facilities are subservient and would not otherwise be proposed at the site as a standalone use if it were not for the wider and dominant proposed seniors housing development.
- The supporting facilities have an ancillary relationship with the dominant land use yet are specifically listed as or can be defined as land use(s) within other LEP definitions.
- Operation of the supporting facilities inside a seniors housing development is not considered to go beyond what is reasonably required to facilitate a successful and lawful seniors housing community.
- There are no planning provisions which prescribe a maximum number of supporting facilities, nor their size. The impacts associated with these support services have been considered through this EIS and the supporting specialist studies.
- The supporting facilities are physically situated centrally on the land on which the seniors housing development is located.

For the above reasons, the supporting facilities are sufficiently related to the proposed seniors housing and therefore are permissible with consent.

4.3 Other Approvals

A Water Access Licence under the *Water Management Act 2000* has been identified as being necessary, due to groundwater take being proposed at the site. This has been identified under the **Hydrological Impact Assessment (Appendix AD)** which included modelling based on all basements being dewatered at the same time over a 3 - 6 month period. The modelling was prepared to consider the 'worst case scenario' as a precautionary approach to consider potential environmental impacts, though the staging program for the proposal, as described under **Section 6.24** of this EIS, indicates that basements will be built in stages. It is not deemed necessary to pursue this licence at this stage of the proposal. It is not a requirement for obtaining development consent.

An environment protection licence has not been identified as necessary for the proposal under the **Acid Sulfate Soils Management Plan (Appendix J)** and **Waste Management Plan (Appendix Z)**, though it is noted under these reports that any removal of waste, including excess soil, from the site through the construction period will need to be undertaken by licenced contractors and delivered to licenced landfill facilities. This is standard practice, and not a matter requiring approval prior to development consent being issued.

The **Acid Sulfate Soils Management Plan (Appendix J)** identifies there may be scope to obtain an exemption to dispose excess soil to an offsite location that is not a landfill facility. Similar to the comments above, this is not a matter that needs to be resolved prior to obtaining consent.

No other approvals are necessary prior to development consent being issued for the TriCare Hastings Point Development.

Specific to Section 4.42 of the EP&A Act, the proposal does not require:

- an aquaculture permit under Section 144 of the *Fisheries Management Act 1994*
- approval under the *Coal Mine Subsidence Compensation Act 2017*
- a mining lease under the *Mining Act 1992*
- a production lease under the *Petroleum (Onshore) Act 1991*
- an environment protection licence under the *Protection of the Environment Operations Act 1997*
- consent under section 138 of the *Roads Act 1993*
- a licence under the *Pipelines Act 1967*

The proposal does trigger various 'integrated development' items, though being SSD, the requirement for obtaining separate approval is not required in accordance with Section 4.46 of the EP&A Act. This is discussed below.

Water Management Act 2000

The proposed development is upon waterfront land, triggering 'controlled activity approval' considerations. This matter is addressed in detail under **Section 6.12.12** of this EIS, though in summary, the proposal presents an improved residential outcome from what has already been approved onsite. Its delivery will provide important housing for seniors, in a format that meets current minimum and best practice housing design and service requirements. The proposed development has been assessed as either no-worsening or an improved environmental response to the adjoining riparian land than what has previously been approved.

Pre-lodgement consultation was undertaken with the Water Group of the Department of Planning and Environment (now DPHI). The Water Group advised that an assessment will be undertaken upon lodgement of the EIS. No further comments were provided.

It is noted that Water NSW was consulted during the assessment of the previous Modification Application that was pursued over this land. Water NSW (refer to DA06/0413.14 discussed under **Section 2.3.3.3** of this EIS). Water NSW issued General Terms of Approval despite the proposal under that Modification Application pursuing a similar development format to this SSD (Water NSW Reference No. IDAS1127102). Further to this, Water NSW has issued General Terms of Approval for DA25/0123 which does include the same development format being pursued under this SSD, albeit that DA25/0123 does not pursue Building D for Aged Care. It is anticipated that the Water Group would recognise this SSD is the same outcome as DA25/0123 and again support the proposal progressing subject to comments and/or conditions.

Rural Fires Act 1997

Under Section 100B of the *Rural Fires Act 1997* a Bush Fire Safety Authority from the NSW Rural Fire Services is typically required for Special Fire Protection Purpose developments, which includes seniors housing; however, Section 4.41 of the EP&A Act confirms this approval is not required for SSD.

Notwithstanding, pre-lodgement consultation was undertaken with the NSW Rural Fire Service. The NSW Rural Fire Service advised that an assessment will be undertaken upon lodgement of the EIS. No further comments were provided.

DA25/0123, which is the local-DA also being pursued for the subject site (refer to **Section 2.3.3.4** of this EIS), was referred to the NSW Rural Fire Service. That DA is a similar development proposal to the project being considered under this EIS, except that it does not include a RAC. The bushfire protection measures for the local-DA and this SSD proposal are the same. The NSW Rural Fire Service has issued General Terms of Approval for DA25/0123, which provides good indication that the proposal subject to this EIS has been made consistent with the relevant bushfire planning requirements and would obtain a Bush Fire Safety Authority from the relevant authority.

4.4 Pre-Condition to Exercising the Power to Grant Approval

Table 4-1 provides an overview of all relevant pre-conditions to exercising the power to grant consent for the TriCare Hastings Point Development. **Table 4-1** also confirms where these pre-conditions have been addressed in the EIS.

Table 4-1 | Statutory Context Overview

Act / EPI	Provision	Response	Section in EIS
Environmental Planning and Assessment Act 1979	Section 4.38 Consent for State significant development	The development is wholly permissible, and therefore may be issued with consent	Section 4.2
	Section 4.41, 4.42 and 4.46 Integrated Development	The TriCare Hastings Point Development is not integrated development approval for the purposes of obtaining development consent.	Section 4.3
Environmental Planning and Assessment Regulation 2021	Section 27 BASIX Development	BASIX certificates have been prepared for each of the proposed buildings.	Section 4.7
	Section 29 Residential Apartment Development	A Design Verification Statement prepared and signed by a registered architect is included in the Architectural Design Report for this proposal.	Appendix E
Biodiversity Conservation Act 2016	Section 7.9 Biodiversity assessment and approvals	A BDAR has been completed and submitted with this EIS.	Appendix T
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Section 4.8 Koala plans of management for land	The TriCare Hastings Point site is located within an area that is subject to the endorsed Tweed Coast Comprehensive Koala Plan of Management. A Koala Habitat Assessment has been completed and submitted with this EIS.	Section 4.7 Appendix R
State Environmental Planning Policy	Section 2.48 Development likely to affect an electricity	In accordance with the provision, Essential Energy is to be consulted due to works	Section 4.7

Act / EPI	Provision	Response	Section in EIS
(Transport and Infrastructure) 2021	transmission or distribution network	being proposed within proximity to overhead powerlines. Essential Energy has provided advice with respect to the Local-DA also being pursued for this site. Essential Energy has raised no issue of concern. It has provided standard comments to consider at the detailed design and construction phase of the project.	
	Section 2.122 Traffic-generating development	The proposal is deemed traffic generating development, requiring referral to Transport for NSW. Transport for NSW has been consulted as part of preparing the EIS, recommending the preparation of a Traffic Impact Study and confirming that Council is the relevant Roads Authority for determining activities proposed within Tweed Coast Road.	Section 4.7

4.5 Mandatory Matters for Consideration

A broader assessment of all matters that the consent authority is required to consider before making a determination is summarised in the sections below.

4.6 Environmental Planning and Assessment Act 1979

The proposal constitutes 'development' as defined by the EP&A Act and requires development consent as per the Tweed LEP 2014 and Housing SEPP.

The proposal has been assessed as being consistent with the objects of the EP&A Act in that it:

- Promotes the social welfare of the community, through quality seniors housing provision on urban land away from sensitive environments and other resources;
- Demonstrates orderly and economic development, through the delivery of permissible and necessary development on land that has been strategically identified for uplift in seniors housing provision;
- Allows for additional employment opportunities during the life cycle of the development; and
- Promotes quality design and amenity of the built environment.

4.7 State Environmental Planning Policies

While a variety of State Environmental Planning Policies (SEPPs) are applicable to the land, the following provides an assessment of those with relevance to the proposal.

4.7.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP) is considered relevant to the vegetation clearing associated with the proposed development.

4.7.1.1 Chapter 2 Vegetation in non-rural areas

Chapter 2 of the Biodiversity and Conservation SEPP applies to land zoned R1 General Residential and as such is applicable to the subject site.

The Biodiversity and Conservation SEPP regulates clearing of native vegetation that exceeds the biodiversity offsets scheme threshold, whereby a proponent would require approval by the Native Vegetation Panel and also the clearing of vegetation identified in the Tweed DCP 2008 whereby the proponent would need a permit granted by Council.

A BDAR (refer to **Appendix T**) confirms that native vegetation clearing remains within permissible thresholds under the Biodiversity Offsets Scheme.

Given development consent is being pursued for clearing at the site, a separate tree clearing permit is not required.

Chapter 2 of the Biodiversity and Conservation SEPP therefore does not raise any additional approval requirements for the proposal.

4.7.1.2 Chapter 4 Koala Habitat Protection 2021

The site is located within the Tweed LGA, is zoned R1 General Residential and is subject to the Tweed Coast Comprehensive Koala Plan of Management.

A **Koala Habitat Assessment** has been prepared by Cumberland Ecology (refer to **Attachment R**), addressing the elements of Chapter 4 of the Biodiversity and Conservation SEPP, to evaluate the potential impacts on koala habitat and specifically, how the proposed development is consistent with the Tweed Coast Comprehensive Koala Plan of Management.

Key measures proposed under the **Koala Habitat Assessment** include:

- Minimising Habitat Impact: Only a small area of Secondary (Class B) habitat will be modified, with no core habitat disturbed;
- Restoring and Managing Habitat: A **Restoration Management Plan (Appendix S)** will enhance existing habitat and establish new habitat areas, offsetting any loss;
- Implementing Construction Protections: Temporary fencing and on-site ecologist supervision will protect koalas during construction; and

In summary, the project aligns with the Tweed Coast Comprehensive Koala Plan of Management's objectives through habitat restoration and protective construction practices. This approach supports both project objectives and local koala conservation efforts.

4.7.2 State Environmental Planning Policy (Sustainable Buildings) 2022

The aim of *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) is to encourage sustainable residential and non-residential development by requiring a list of commitments detailing how the development will meet sustainability targets.

The proposed development is for seniors housing, including ILUs and a RAC. The proposal relates to BASIX development, and not development specified under Chapter 3 of the Sustainable Buildings SEPP.

Current BASIX certificates have been provided as part of this application, demonstrating compliance with the established water, energy, and thermal comfort targets for the proposed development (refer to **Appendix X**).

4.7.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The Resilience and Hazards SEPP covers how development proposals are assessed if they are in a coastal zone, are considered hazardous or offensive industries or where the land is contaminated.

4.7.3.1 Chapter 2 Coastal Management

Chapter 2 of the Resilience and Hazards SEPP applies to all land within the coastal zone, promoting a coordinated approach to land use planning. The subject site is mapped as being within the following coastal management areas:

- Coastal Wetland;
- Proximity to Coastal Wetlands;
- Proximity to Littoral Rainforest;
- Coastal Environment Area; and
- Coastal Use Area.

These considerations are further addressed below.

Coastal Wetlands, Littoral Rainforest & Proximity Areas

It is discussed under **Section 2.3.3.15** and **2.3.3.16** of this EIS, that the site is mapped as containing Coastal Wetlands, as well as being within the Proximity Area to mapped Coastal Wetlands and Littoral Rainforest.

No direct physical work is proposed within the land mapped as Coastal Wetland. This mapping occurs within the south-west corner of the site and along the western boundary.

There is also no physical work proposed within the land mapped Proximity Area to Littoral Rainforest within the north-east of the site. There is however an existing access track along the site's northern boundary, which has been nominated as the construction vehicle access point during the construction period for the proposal. This track would remain during the operational phase, available for emergency vehicle access and egress only.

Notwithstanding, detailed assessment has been undertaken to confirm the proposal's compatibility with the Coastal Wetlands, Littoral Rainforest and the broader coastal environment.

Surface Water

- A **Stormwater Management Plan** has been designed by Cozens Regan (refer to **Appendix K**) to ensure surface water flows are collected and discharged off the site via infiltration trenches whereby the discharge rate is limited to the pre-development flow rates and water quality is maintained and/or improved.

Groundwater

- A **Hydrogeological Impact Assessment** has been prepared for the proposed development by Martens & Associates (refer to **Attachment AD**). The report outlines anticipated impacts on groundwater associated with the project.
- Temporary dewatering will be necessary during the construction phase, specifically for basement excavation, with an expected extraction volume of approximately 2.74 to 4.54 megalitres (ML) over a period of 3–6 months.
- Modelling of groundwater impacts predicts that drawdown effects will be minimal beyond the site boundaries, with a maximum drawdown of no greater than 0.1 meters outside the property. Within the adjacent coastal wetlands, impacts are projected to be very limited, with a maximum drawdown of 0.05 meters after six months of dewatering activity. No impacts are anticipated on the nearby littoral rainforest, further underscoring the minimal nature of the development's groundwater effects.

- For long-term groundwater conditions post-construction, the model forecasts negligible changes in groundwater levels. There are no anticipated impacts on local properties, productive bores, or nearby sensitive ecosystems.

Ecology

- The BDAR prepared by Cumberland Ecology notes that all direct impacts are restricted to the disturbed areas within the lot boundary, and that the loss of vegetation at the site is not threatening to broader Coastal Wetlands and Littoral Rainforest areas.

Coastal Environment and Coastal Use Area

The site is not subject to coastal hazards and as discussed above, no significant impacts on the biophysical or hydrological integrity of the coastal environment area are anticipated.

The proposed buildings have been located centrally on the site, within the existing cleared footprint minimising the need for clearing of native vegetation and fauna habitat. Ecological restoration is proposed to improve riparian vegetation along the Cudgera Creek frontage and stormwater management will ensure indirect impacts are effectively mitigated. Consequently, no significant impacts on the ecological integrity of the coastal environment area are anticipated.

Furthermore, the proposed development will not adversely impact or restrict any existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability.

Building design is carefully integrated with the existing seniors housing development providing a continuation of the established 3 storey residential flat building typology on the site. A **Visual Impact Assessment** has been prepared for the project, confirming that there will be no adverse impact on the visual amenity or scenic qualities of the coastal environment, as detailed in **Appendix AK**.

An **Aboriginal Cultural Heritage Assessment Report** has identified any likelihood for the land to contain items of cultural significance is low (refer to **Appendix M**).

The proposal is considered to satisfy the requirements for both the Coastal Environment Area and Coastal Use Area under Chapter 2 of the Resilience and Hazards SEPP.

4.7.3.2 Chapter 4 Remediation of Land

Section 4.6 of the Resilience and Hazards SEPP details that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

A DSI has been conducted for the site and proposal, evaluating the potential for contamination across soil and groundwater (refer to **Appendix AC**). The historical use as a grazing area, along with the subsequent tourist and residential development, is not typically associated with significant contamination risks. Moreover, soil and groundwater tests in targeted areas did not reveal contaminants at levels necessitating detailed remediation.

The existing analysis confirms minimal risk, indicating that the site is suitable for the proposed residential (seniors housing) development, with a low likelihood of contamination concerns impacting the environment.

In considering the above, the proposal is considered to satisfy the provisions of Chapter 4 of the Resilience and Hazards SEPP.

4.7.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

The objective of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) is to facilitate the effective delivery of infrastructure across the State and identify matters to be considered in the assessment of development adjacent to particular types of infrastructure. The Transport and Infrastructure SEPP also outlines consultation requirements with relevant public authorities for certain proposed works.

Section 2.119 of the Transport and Infrastructure SEPP notes that a consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied regarding the safety, efficiency and ongoing operation of the classified road.

The project site is located on and has direct access to Tweed Coast Road, which is a classified (Regional) road for which Tweed Shire Council is the Roads Authority pursuant to Section 7 of the *Roads Act 1993*.

A **Traffic Impact Study** (refer to **Attachment G**) prepared by Planit Consulting concludes that traffic generated by the proposed development at 87-89 Tweed Coast Road, Hastings Point, will have minimal impact on the capacity, safety, and functionality of the local road network. The study estimates that peak traffic generation for the development will remain moderate, with no adverse effects anticipated on surrounding intersections. The current access configuration to Tweed Coast Road is deemed sufficient to support the expected traffic volumes, and no upgrades to the site access are required.

The proposal is classified as traffic-generating development in accordance with the Transport and Infrastructure SEPP, as it constitutes residential accommodation with 75 or more dwellings with access to a classified road. In total, the site will support 142 ILUs, combining 91 existing ILUs from the existing development with an additional 51 units proposed under this SSD Application. Section 2.122 of the Transport and Infrastructure SEPP requires the consent authority to notify Transport for NSW regarding such traffic-generating development.

Pre-lodgement consultation has been undertaken with Transport for NSW. Transport for NSW has been consulted as part of preparing the EIS, recommending the preparation of a Traffic Impact Assessment and confirming that Council is the relevant Roads Authority for determining activities proposed within Tweed Coast Road. For further details, refer to **Section 5** of this EIS and the **Traffic Impact Study** in **Attachment G**.

Section 2.48 of the Transport and Infrastructure SEPP is also relevant to this SSD because works are in proximity to overhead electricity power lines. The consent authority may give written notice to Essential Energy inviting comments regarding potential safety risks and should take into consideration any response before determining development consent.

4.7.5 State Environmental Planning Policy (Housing) 2021

4.7.5.1 Chapter 3, Part 5 Housing for Seniors and People with a Disability

Chapter 3 of the Housing SEPP is the primary SEPP associated with the proposed land use. An assessment of all relevant provisions is provided in **Table 4-2**.

Table 4-2 | Chapter 3 Compliance Table

Control	Comment
79 Land to which Part applies	The site is zoned part R1 General Residential, being a zone to which this part applies.
80 Land to which Part does not apply—general	The site is not land referred to under Section 80. Of note, while the land includes land mapped as Biodiversity Values under the Biodiversity Conservation regulation 2017 and Coastal Wetlands under the Resilience and Hazards SEPP, no work is proposed within these mapped areas.
81 Seniors housing permitted with consent	The development is for the purposes of seniors housing on land to which Part 5 of the Housing SEPP applies, as well as being permitted under the Tweed LEP 2014.
84 Development standards—general	The subject site is greater than 1,000m ² (3.86ha) and has a lot width greater than 20m measured at the building line.

Control	Comment
	As residential flat buildings are permissible on this site, the specific height and setback requirements outlined in Part 84(2)(c) do not apply to this development.
85 Development standards for hostels and independent living units	The proposal comprises a 47 room RAC and 51 ILUs. Assessment against the relevant standards specified under Schedule 4 of the Housing SEPP is provided below.
87 Additional floor space ratios	Clause 87(2)(b) permits a bonus height increase of up to 3.8 metres above the maximum permissible building height, even where a proposal does not achieve or seek an increase in floor space ratio. The site is mapped under the Tweed LEP 2014 with a maximum permissible building height of 8m. As a result of this amendment, the applicable height standard for the site increases from 8 metres under the Tweed LEP 2014 to 11.8 metres with the Housing SEPP bonus applied. A maximum building height of 12.205m is being pursued, which exceeds this bonus height provision. A Clause 4.6 request forms part of this EIS, seeking to vary the LEP height standard (as modified by the Housing SEPP bonus provision).
88 Restrictions on occupation of seniors housing	The TriCare project provides accommodation for seniors and their households as defined under this provision.
90 Subdivision	The proposal does not involve the subdivision of land or buildings. Therefore, the provisions relating to the granting of development consent for subdivision under Part 5 are not applicable to this application.
91 Fire Sprinkler systems in residential care facilities	The proposed Stage 2 facilities will include a compliant fire sprinkler system, as required. This system will be designed to automatically control the growth and spread of fire, with components such as sprinklers, valves, pipework, pumps, boosters, and water supplies, meeting all requirements for residential care facilities.
93 Location and access to facilities and services— independent living units	A public bus stop (B603) is located directly outside the site, serviced by regular routes that connect to Pottsville and other nearby centres. While these public buses are not specifically advertised as 'accessible travel,' they typically provide vehicles that support accessible travel. In addition, TriCare operates a private on-site bus service that offers residents direct transportation to the Pottsville town centre and broader regional facilities. The Pottsville town centre includes all required services specified under subclause (5). The existing Stage 1 development also includes on-site amenities such as a hairdresser and café. A service station is located directly adjacent to the site and a general store is located approximately 750m north of the site.
94 Location and access to facilities and services— residential care facilities	Similar to the response above, private transport services are provided onsite, which in addition to the nearby public bus stops, provide suitable access to the required facilities and services.

Control	Comment
95 Water and Sewer	The proposal includes private connection to existing reticulated water and sewer services within the site. The public network can service the development (refer to Appendix M). The site is currently serviced by a 150mm diameter Council gravity sewer main located within Tweed Coast Road at the front of the site. Stage 1 of the development, which is already constructed, connects to this sewer main via a private rising main. The site is currently supplied by a 200mm main within the western verge of Tweed Coast Road, which forms part of the Council's potable water reticulation network. An existing water service connection from this main is already in place, supplying existing Stage 1 development. The proposed Stage 2 development will be serviced by extending the internal private water and fire reticulation network that currently supports Stage 1. This extension will ensure that the new buildings within Stage 2 receive adequate water supply and fire service coverage.
96 Bush fire prone land	Tweed Shire Council's Bushfire Prone Land Map identifies the subject property as containing Category 1 Vegetation, Category 3 Vegetation and the Vegetation Buffer. The subject site is therefore designated 'bushfire prone' land. A Bushfire Hazard Assessment has been prepared by Bushfire Hazard Solutions Pty Ltd (refer to Appendix I) addressing the requirements of the Housing SEPP and more-specifically, the requirements under <i>Planning for Bushfire Protection 2019</i> which relate to Special Fire Protection Purposes. The assessment concludes that with the bushfire safety measures contained in the report, and consideration of the site-specific bushfire risk assessment, a reasonable and satisfactory level of bushfire protection can be afforded to the subject development.
97 Design of in-fill self-care housing	The proposal has been designed in accordance with the Seniors Housing Design Guide 2023. These Design Principles and guidelines have been addressed within the Architectural Design Report prepared by Arqus Design (refer to Appendix E).
107 Non-discretionary development standards for hostels and residential care facilities—the Act, s 4.15	(l) The object of this section is to identify development standards for particular matters relating to development for the purposes of hostels and residential care facilities that, if complied with, prevent the consent authority from requiring more onerous standards for the matters The development includes a 47 room RAC. The assessment below is limited to this component of the proposed development. Our assessment highlights where the proposal complies with the standards and therefore meets the 'do not refuse criteria' of that particular standard.

Control	Comment
(2) The following are non-discretionary development standards in relation to development for the purposes of hostels or residential care facilities—	As above, this review is limited to the RAC within the proposed development.
(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	The proposal has not pursued compliance with this standard, given the height provisions that apply to the land under the Tweed LEP 2014 provide greater building height. Compliance with the standard would therefore reduce housing provision at the site, which is not consistent with the object of the standards or Housing SEPP.
(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m— (i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and (ii) is limited to an area of no more than 20% of the surface area of the roof, and (iii) does not result in the building having a height of more than 11.5m,	As above, the proposal has not pursued compliance with this standard, given the height provisions that apply to the land under the Tweed LEP 2014 provide greater building height. Compliance with the standard would therefore reduce housing provision at the site, which is not consistent with the object of the standards or Housing SEPP.
(c) the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,	The RAC within the proposed development is less than 1:1 FSR, considering the size of the site. Though FSR must consider all built form at the site. The total FSR for the site (including the existing Stage 1 and the proposed development), is 0.68:1. It is also noted that the allowable FSR under the Tweed LEP 2014 is 2:1.
(d) internal and external communal open	The proposed RAC provides for 47 beds. Accordingly, a total of 470m ² of communal open space is required.

Control	Comment
spaces with a total area of at least— (i) for a hostel— 8m ² for every bed, or (ii) for a residential care facility— 10m ² for every bed,	The development achieves a total communal open space of 17,304m ² comprising: • 16,261m ² (42.8% of site area) of external communal open space; and • 1,043m ² of internal communal open space
(e) at least 15m ² of landscaped area for every bed,	In accordance with this control 705m ² of landscaped area is required for the RAC. The development achieves a total landscaped area of 19,565.83m ² of ground level landscaping and additional above ground landscaping (planter boxes) comprising: • 5,439.16m ² of existing ground level landscape area (stage 1) • 14,126.67m ² of proposed ground level landscape area; and • 904.3m ² of planter boxes.
(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 6m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,	In accordance with this control, 5,695.5m ² of deep soil zone is required. The proposal achieves 12,329.862m ² of deep soil zones, comprising 32.47% of the site area which is primarily located at the rear of the site along Cudgera Creek.
(g) for a hostel—at least 1 parking space for every 10 beds in the hostel,	N/A
(h) for a residential care facility—at least 1 parking space for every 15 beds in the facility,	Based on the proposed 47 beds, 4x parking spaces are required for the RAC facility. As detailed in the Traffic Impact Study prepared by Planit Consulting the proposed development provides 23 parking spaces for the RAC facility, including 2 accessible car parking spaces (Appendix G). The number of spaces provided for the RAC and its staff (refer to comments below) exceed the minimum requirements. This amount of parking meets Tricare's own design guidelines and operational model.
(i) at least 1 parking space for every 2 employees who are on duty at the same time,	Based on a maximum of 30 staff working in the RAC at any one time, 15 spaces are required. As outlined above, the proposed development provides 23 parking spaces for the RAC facility, including 2 accessible car parking spaces. The combined number of required parking spaces for the RAC, per subclause (e) and (f) is 19. The provision of 23 spaces exceeds this minimum requirement.

Control	Comment
(j) at least 1 parking space for the purpose of ambulance parking.	A dedicated ambulance parking space is provided within the basement for the RAC. Additional ambulance parking is provided on ground.
108 Non-discretionary development standards for independent living units—the Act, s 4.15	
(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of independent living units that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	The development includes 3x buildings comprising ILUs. The assessment below is limited to this component of the proposal. It highlights when the proposed ILUs comply with the standards and therefore meet the 'do not refuse criteria' of that standard.
(2) The following are non-discretionary development standards in relation to development for the purposes of independent living units—	As above, this review is limited to the ILUs within the proposal.
(a) no building has a height of more than 9.5m, excluding servicing equipment on the roof of a building,	The proposal has not pursued compliance with this standard, given the approved and existing building heights at the site. Compliance with the standard would reduce housing provision at the site, which is not consistent with the objective of the standards or Housing SEPP.
(b) servicing equipment on the roof of a building, which results in the building having a height of more than 9.5m— (i) is fully integrated into the design of the roof or contained and suitably screened from view from public places, and	The proposal has not pursued compliance with this standard, given the approved and existing building heights at the site. Compliance with the standard would therefore reduce housing provision at the site, which is not consistent with the object of the standards or Housing SEPP.

Control	Comment
(ii) is limited to an area of no more than 20% of the surface area of the roof, and (iii) does not result in the building having a height of more than 11.5m,	
(c) the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	The proposal has not pursued compliance with this standard, given the floor space ratio provisions that apply to the land under the Tweed LEP 2014 provide greater floor space.
(d) for a development application made by a social housing provider—at least 35m ² of landscaped area per dwelling,	N/A - TriCare is a social housing provider.
(e) if paragraph (d) does not apply—at least 30% of the site area is landscaped,	In accordance with this provision, the proposal requires at least 11,391m² of landscaped area. The development achieves a total landscaped area of 19,565.83m² of ground level landscaping and additional above ground landscaping (planter boxes) comprising: • 5,439.16m² of existing ground level landscape area (stage 1) • 14,126.67m² of proposed ground level landscape area; and • 904.3m² of planter boxes. The landscaped area proposed is more than the combined requirement being 11,391m² for the ILUs and 705m² for the RAC.
(f) a deep soil zone on at least 15% of the site area, where each deep soil zone has minimum dimensions of 3m and, if practicable, at least 65% of the deep soil zone is located at the rear of the site,	In accordance with this control, 5,695.5m² of deep soil zone is required. The proposal achieves 12,329.862m² of deep soil zones, comprising 32.47% of the site area which is primarily located at the rear of the site along Cudgera Creek. The deep soil zone proposed is more than the combined requirement of 30% when considering 15% for both the RAC and ILUs separately.
(g) at least 70% of the dwellings receive at least 2 hours of direct solar access between 9am and 3pm at mid-winter	Solar access diagrams are included in the Architectural Plans prepared by Arqus Design (refer to Appendix A) As per the diagrams provided, all the 51 ILUs proposed onsite achieve the minimum required 2 hours of direct solar access between 9am and 3pm at mid-winter in living rooms and private open spaces.

Control	Comment
in living rooms and private open spaces,	
(h) for a dwelling in a single storey building or a dwelling located, wholly or in part, on the ground floor of a multi-storey building— (i) at least 15m ² of private open space per dwelling, and (ii) at least 1 private open space with minimum dimensions of 3m accessible from a living area located on the ground floor,	All ground floor dwellings have well in excess 20m ² of private open space and achieve minimum dimensions of 3m accessible from a living area (refer to ground floor plans in Appendix A).
(i) for a dwelling in a multi-storey building not located on the ground floor—a balcony accessible from a living area with minimum dimensions of 2m and— (i) an area of at least 10m ² , or (ii) for each dwelling containing 1 bedroom—an area of at least 6m ² ,	All dwellings in the multi-storey buildings, not located on the ground floor, have 24.6m ² of private open space and achieve minimum dimensions of 2m accessible from a living area (refer to floor plans in Appendix A).
(j) for a development application made by, or made by a person jointly with, a social housing provider—at least 1 parking space for every 5 dwellings,	N/A - TriCare is a social housing provider.
(k) if paragraph (j) does not apply—at least 0.5 parking	Based on the proposed 51 ILU dwellings, a minimum of 51 parking spaces (0.5 spaces for each bedroom) is required for ILUs. As detailed in the Traffic Impact Study prepared by Planit Consulting (refer to Appendix G), the proposed development provides a total of 73

Control	Comment
spaces for each bedroom.	basement parking spaces for the ILUs plus an additional 20 on grade car parking spaces for visitors. An on-grade ambulance bay is included but is not counted as a parking space. The number of spaces provided exceeds the minimum requirement, aligning with TriCare's design guidelines and operational model.

4.7.5.2 Chapter 4 Design of Residential Apartment Development

The objective of this chapter is to improve the design quality of residential apartment development in NSW.

Section 144(3) specifies what type of buildings this chapter of the Housing SEPP applies to. It states (emphasis added):

- (3) *This chapter applies to development only if—*
- (a) *the development consists of—*
- (i) *the erection of a new building, or*
 - (ii) *the substantial redevelopment or substantial refurbishment of an existing building, or*
 - (iii) *the conversion of an existing building, and*
- (b) *the building is at least 3 storeys, not including underground car parking storeys, and*
- (c) *the building contains at least 4 dwellings.*

The proposed ILU buildings within the proposal are all 3 storeys. This chapter is therefore applicable to the proposed buildings.

The proposed development has been assessed against the non-discretionary development standards of the Housing SEPP in **Table 4-3** below. The provisions of the integrated Apartment Design Guide (ADG), specifically Parts 3 and 4, have been addressed in the **Architectural Design Report** prepared by Arqus Design (refer to **Appendix E**).

Table 4-3 | Chapter 4 Compliance Table

Control	Comment
148 Non-discretionary development standards for residential apartment development	
(1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	The 3x ILU buildings are 3 storeys in the form of residential apartments. The assessment below is limited to this component of the proposal. It highlights when the proposal complies with the standards and therefore meets the 'do not refuse criteria' of that standard.
(2) The following are non-discretionary development standards— (a) The car parking for the building must be equal to, or greater than, the recommended minimum	The car parking criteria under objective 3J-1 relate to development on sites that are within 800m of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre.

amount of car parking specified in Part 3J of the Apartment Design Guide,	Hastings Point is not a nominated regional centre, and the site is not located within 800m of a railway station or 400m of land zoned B3 or B4. Nevertheless, as detailed in the Traffic Impact Study the proposed development provides 115 car parking spaces (refer to Appendix V). Additional ambulance bays are provided, though these spaces are not counted as a car parking bay. The number of spaces provided exceed the minimum requirements of the Housing SEPP for seniors housing.
(b) The internal areas for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,	The internal area of each apartment is significantly greater than the recommended minimum internal area for the relevant apartment type specified in Part 4D of the ADG (refer to floor plans in Appendix A).
(c) The ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	The ceiling heights for each building is equal to or greater than the recommended minimum ceiling heights specified in Part 4C of the ADG (refer to section plans in Appendix A).

4.7.5.3 Schedule 4 Standards concerning Accessibility and Useability for Hostels and Independent Living Units

A full assessment of compliance against the standards in Schedule 4 of the Housing SEPP applying to ILUs has been undertaken and is detailed in the **Access Report** prepared by Credwell (refer to **Appendix AH**).

The **Access Report** confirms that the proposed development complies with the relevant requirements of the Housing SEPP and the Liveable Housing Design Guidelines, with remaining aspects expected to achieve compliance in the detailed design phase following development consent.

4.7.5.4 Schedule 8 Design Principles for Seniors Housing

Table 4-4 | Schedule 8 Compliance Table

Control	Comment
1 Neighbourhood Amenity and Streetscape	The proposed development is located at the rear of the site, sited behind the existing Stage 1 buildings and setback approximately 85m from the Tweed Coast Road frontage. A minimum 15m setback is also provided to all other boundaries. Having regard to existing vegetation and development, the proposed buildings shall not generally be visible along the public interface. A Visual Impact Assessment has been prepared by Envisage confirming the proposal's limited impact on public views and viewsheds from adjacent properties (refer to Appendix AK). Consequently, the proposed development has minimal impact on the neighbourhood amenity and streetscape.

2 Visual and acoustic privacy	The Visual Impact Assessment confirms that the proposal will not result in any loss of valued views from public or private viewpoints, as the new buildings are positioned to the west of the existing development (refer to Appendix AK). The placement of buildings ensures that they do not obstruct views toward the coast, maintaining existing coastal and headland views for nearby residents and visitors. Furthermore, the report indicates that the building height and bulk are consistent with adjacent structures, reducing any potential visual dominance in the landscape. The Noise Impact Assessment, which includes a Construction Noise & Vibration Management Plan, confirms that the proposed development includes specific measures to protect the acoustic privacy of neighbouring properties (refer to Appendix F). The reports highlights substantial separation distances and buffer zones between the development and adjacent properties, utilising setbacks and landscaping to naturally reduce noise transmission. These buffers are intended to manage both visual and acoustic privacy effectively.
3 Solar access and design for climate	The proposal has been designed with large side setbacks to minimise impacts such as shadowing and solar access for adjacent residences (refer to Architectural Plans within Appendix A). The proposed development has been designed to comply with the ADG and Tweed DCP 2018 regarding solar access. During the winter solstice, the development will cast minor additional shadows on the adjacent coastal environment. Importantly, the nearest neighbouring property at 79 Tweed Coast Road will continue to receive at least two hours of sunlight to its principal private open space, in line with DCP requirements.
4 Stormwater	A Stormwater Management Plan for the site has been prepared by Cozens Regan (refer to Appendix K). In summary, stormwater runoff from roof and paved areas at the site will be captured and directed through oil and grit separators for pollutant removal before entering infiltration pits. The site's large permeable soil areas will further support infiltration, enhancing stormwater efficiency, though the system's performance does not rely solely on infiltration to meet regulatory standards. Runoff is then conveyed through a piped drainage system to the legal discharge point at Cudgera Creek. Multiple infiltration pits are incorporated to manage peak flows, ensuring compliance with the allowable discharge rate for up to the 100-year storm event, thereby protecting surrounding environmental assets while maintaining effective site drainage.
5 Crime prevention	In accordance with the guidelines for crime prevention, the design has taken into consideration the 4 principles of surveillance, access control, territorial reinforcement and space management. While the proposed development forms part of a larger retirement community, the design of the communal and private spaces has been planned to promote passive surveillance and with CPTED principles. The design of the buildings provides passive surveillance of the communal spaces from the apartments and gallery spaces. Security shall be implemented at the entry to all buildings and at the entry of the basements.

	TriCare shall extend the existing CCTV network throughout the communal spaces of the proposed development.
6 Accessibility	The Access Report prepared by Credwell (refer to Appendix AH) demonstrates that the design of the proposed development complies with the relevant requirements of the Housing SEPP, BCA and Liveable Housing Design Guidelines, subject to some design clarification at the detailed design stage. As detailed in the Traffic Impact Study prepared by Planit Consulting (refer to Appendix G), vehicle access is provided from the existing driveway crossover to Tweed Coast Road. The internal driveway and pathways will provide safe and convenient movement within the proposed development for both pedestrians and vehicles. The site comprises adequate pedestrian infrastructure with footpaths to the Tweed Coast Road frontage, providing connectivity with Council's shared pedestrian/cycle pathway network providing off-road connectivity to Pottsville in the south, and Cabarita in the north. Given the surrounding public and active transport options, staff, visitors and residents could make journeys to and from the site with reduced requirements for private transport.
7 Waste management	The proposal incorporates appropriate waste management facilities as detailed in the Waste Management Plan prepared by HMC Environmental (refer to Appendix Z). Residents and staff will be provided with detailed information on recycling and waste management as part of the welcome package and tour, with refresher training annually to promote best practice and maximise recycling of waste.

4.7.5.5 Schedule 9 Design Principles for Residential Apartment Development

Table 4-5 | Schedule 9 Compliance Table

Control	Comment
1 Context and Neighbourhood Character (1) Good design responds and contributes to its context, which is the key natural and built features of an area, their relationship and the character they create when combined and also includes social, economic, health and environmental conditions. (2) Responding to context involves identifying the desirable elements of an area's existing or future character. (3) Well designed buildings respond to and enhance	As detailed in the Architectural Design Report (refer to Appendix E), the master planning and architectural design response is considerate of the existing development on the site including providing appropriate separation distances between buildings, minimising potential overlooking and overshadowing, maintaining desirable view corridors, and maintaining a similar (but contemporary) architectural character. The proposed development shall enhance the current built form character of the existing retirement community. The materiality choices across the development takes inspiration from the local landscape articulating a connection to the landscape and country.

the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

(4) Consideration of local context is important for all sites, including sites in the following areas—

- (a) established areas,
- (b) areas undergoing change,
- (c) areas identified for change.

2 Built Form and Scale

(1) Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

(2) Good design also achieves an appropriate built form for a site and the building's purpose in terms of the following—

- (a) building alignments and proportions,
 - (b) building type,
 - (c) building articulation,
 - (d) the manipulation of building elements.
- (3) Appropriate built form—
- (a) defines the public domain, and
 - (b) contributes to the character of streetscapes and parks, including their views and vistas, and
 - (c) provides internal amenity and outlook.

The built form outcome, including buildings up to 3 storeys, is appropriate to the existing 3 storey development on the site, with roof forms complimentary to the existing architecture.

With the proposed development setback approximately 85m from the Tweed Coast Road frontage, and having regard to existing vegetation and structures, the buildings shall not generally be visible along the public interface, as illustrated by the **Visual Impact Assessment** (refer to **Appendix AK**).

The provision of communal open space, including bowls green, walking tracks, and generous landscape spaces, shall extend on the current amenity and shall be enjoyed by all residents of the community.

3 Density

(1) Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

(2) Appropriate densities are consistent with the

The scale and density of the proposed development is consistent with the existing development and appropriate for the site with net site cover less than prescribed measures within the planning scheme.

Refer to the **Architectural Design Report** prepared by Arqus Design for further information (**Appendix E**).

area's existing or projected population. (3) Appropriate densities are sustained by the following— (a) existing or proposed infrastructure, (b) public transport, (c) access to jobs, (d) community facilities, (e) the environment.	
4 Sustainability (1) Good design combines positive environmental, social and economic outcomes. (2) Good sustainable design includes— (a) use of natural cross ventilation and sunlight for the amenity and liveability of residents, and (b) passive thermal design for ventilation, heating and cooling, which reduces reliance on technology and operation costs. (3) Good sustainable design also includes the following— (a) recycling and reuse of materials and waste, (b) use of sustainable materials, (c) deep soil zones for groundwater recharge and vegetation.	Passive environmental design is an integral element of the proposed development including solar ingress to living spaces and private open space, natural light and ventilation to all habitable rooms, cross ventilation, water harvesting, and solar farming. The design of the buildings incorporates low maintenance and long life, durable materials including face block work, pre-finished metalwork, and colorbond roof sheeting. The living and private open space to all units is orientated north or north-west, achieving a minimum of 3 hours direct sunlight between 9am and 3pm mid-winter. Additionally, all apartments provide for cross ventilation. The Environmentally Sustainable Design Report prepared by ADP Consulting (refer to Appendix Y), indicates that in addition to achieving the mandatory BASIX compliance measures, the proposal has pursued further sustainability initiatives.
5 Landscape (1) Good design recognises that landscape and buildings operate together as an integrated and sustainable system, resulting in development with good amenity. (2) A positive image and contextual fit of well designed development is achieved by contributing to the landscape character of	Arcadia was engaged to prepare a landscape design for the proposed development. Landscape Plans for the proposal are enclosed in Appendix AA. The proposed design is responsive to the environment and climatic conditions, the borrowed landscape of the adjoining Cudgera Creek wetlands and coastal context, and the existing development forming the balance of the retirement community. In particular, the planning arrangement of each building capitalises on aspect, orientation, and opportunities to embrace the borrowed landscape. Additionally, the use of natural materials ties the building into the natural surroundings and through the orientation on the site

the streetscape and neighbourhood. (3) Good landscape design enhances the development's environmental performance by retaining positive natural features that contribute to the following— (a) the local context, (b) co-ordinating water and soil management, (c) solar access, (d) micro-climate, (e) tree canopy, (f) habitat values, (g) preserving green networks. (4) Good landscape design optimises the following— (a) usability, (b) privacy and opportunities for social interaction, (c) equitable access, (d) respect for neighbours' amenity. (5) Good landscape design provides for practical establishment and long term management.	promotes engagement between the users and the landscape within the site and that beyond in the borrowed landscape. The landscape design itself draws inspiration from the geomorphological processes of Cudgera Creek which has and continues to shape the site. Braiding together ecological and social narratives, the design creates new spaces for community and residences to connect, play and grow as a community while being sensitive to the surrounding land, supporting a resilient and enduring legacy for future generations. Key Vistas will be maintained to the creek and surrounding hills with strategically placed trees ensuring ample shade is created for natural cooling. The proposed landscape focuses on rehabilitation of the existing creek corridor by integrating numerous indigenous species within the planting palette that will improve biodiversity and habitat for local fauna ensuring endurance and continued sustainability of the land. The proposed landscape will allow for safety and security for residents and their guests by maintaining clear site lines throughout the development while ensuring undesirable views are screened or softened with layered landscapes.
6 Amenity (1) Good design positively influences internal and external amenity for residents and neighbours. (2) Good amenity contributes to positive living environments and resident well-being. (3) Good amenity combines the following— (a) appropriate room dimensions and shapes, (b) access to sunlight, (c) natural ventilation,	As detailed in the Architectural Plans and the Architectural Design Report prepared by Arqus Designs (refer to Appendix A and Appendix E respectively) the apartments have been designed to meet, and where feasible exceed, the minimum spatial requirements of the Housing SEPP, Seniors Housing Design Guidelines and the ADG including storage capacity, ceiling heights, solar access and cross ventilation. The generous spatial layouts of the ILUs allow for functional furnishing of the living spaces and accessibility considerations. The proposed siting of the built form is considerate of the existing development on the site including providing appropriate separation distances between buildings, minimising potential overlooking and overshadowing. The design ensures 100% of dwellings receive a minimum of 2 hours of solar access and achieve natural cross ventilation.

(d) outlook, (e) visual and acoustic privacy, (f) storage, (g) indoor and outdoor space, (h) efficient layouts and service areas, (i) ease of access for all age groups and degrees of mobility.	
7 Safety (1) Good design optimises safety and security within the development and the public domain. (2) Good design provides for quality public and private spaces that are clearly defined and fit for the intended purpose. (3) Opportunities to maximise passive surveillance of public and communal areas promote safety. (4) A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	The proposal includes a range of Crime Prevention through Environmental Design (CPTED) features to discourage anti-social behaviour and ensure that an appropriate level of security is maintained for residents. While the proposed development forms part of a larger retirement community, the proposed layout encourages pedestrian movement, tother with activating uses the proposal aims to create an activated ground plane that promotes social interaction and safety. The orientation of buildings, windows and balconies provides passive surveillance of the communal spaces from the apartments and gallery spaces. Security shall be implemented at the entry to all buildings and at the entry of the basements. TriCare will also extend the existing CCTV network throughout the communal spaces of the proposed development.
8 Housing Diversity and Social Interaction (1) Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. (2) Well designed residential apartment development responds to social context by providing housing and facilities to suit the existing and future social mix.	The proposed development represents a significant contribution to the housing availability within Hastings Point and the Tweed LGA and will assist to meet the diverse housing needs of the ageing local community. A mix of 2-bedroom apartment configurations are provided ranging in size from approximately 100m² to 122m² excluding private open space. Just over 40% of the 2-bedroom apartments include a multi-purpose room providing a very flexible space that can be used as a hobby room, media room, second lounge, formal dining room or utilised as a temporary bedroom for visiting family or friends. Taking into consideration the range of apartments provided in the existing Stage 1 development, the proposed development would provide: • 25% RAC bed

(3) Good design involves practical and flexible features, including— (a) different types of communal spaces for a broad range of people, and (b) opportunities for social interaction among residents.	• 8% 1-bedroom units • 50% 2-bedroom units • 13% 2-bedroom plus multipurpose room units • 4% 3-bedroom units. The proposed apartment mix provides choice for different living needs and household budgets. Complementing the apartments, the TriCare Hastings Point development offers a range of high quality indoor and outdoor communal facilities for entertainment, health, active and passive recreation with a swimming pool, bowling green, barbeque areas and walking tracks in addition to landscaped spaces (refer to Appendix A). The proposal seamlessly integrates with the existing Stage 1 development, offering fit for purpose seniors housing and important services and opportunities for social interaction amongst residents and guests.
9 Aesthetics (1) Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. (2) Good design uses a variety of materials, colours and textures. (3) The visual appearance of well designed residential apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	As detailed in the Architectural Design Report (refer to Appendix E) the design of the proposed development has been carefully considered to achieve a refined, articulated building envelope with varied and stepped forms, modulated skyline, application of fine grain elements (including screens and sun shade elements) and incorporation of semi open corridors and glazing to create buildings that aesthetically pleasing across the site. The Connecting with Country framework helped refine the approach to form and finishes celebrating the surrounding beach and hinterland context. With materials inspired by the local landscape it assists in grounding the buildings into the site and provide a soft and natural tone to the buildings creating a welcoming comfortable quality to the development. Additionally, this use of natural materials ties the building into the natural surroundings and through the orientation on the site promotes engagement between the users and the landscape within the site and that beyond in the borrowed landscape.

4.7.6 State Environmental Planning Policy (Planning Systems) 2021

As outlined in **Section 4.1** of this EIS, the proposal is classified as SSD under Schedule 1 of the Planning Systems SEPP, being:

- seniors housing;
- development with an estimated development cost of more than \$20 million;
- outside of the Greater Sydney Region; and
- comprising a residential care facility.

The consent authority for the proposal is the Minister of Planning (or DPHI as their delegate), as prescribed under Section 4.5 of the EP&A Act and Section 2.7 of the Planning Systems SEPP.

4.7.7 State Environmental Planning Policy (Industry and Employment) 2021

There is an existing business identification sign at the site's entrance, off Tweed Coast Road. No change is proposed to this existing business identification signage.

Building identification signage is intended to be incorporated into the façade of each new building to assist with wayfinding around the site. Additional wayfinding signage is also intended throughout the site, guiding residents and visitors to facilities and services. This building identification and wayfinding signage is not yet shown on the **Architectural Plans**. Rather, this signage would be designed to meet exempt development provisions and not pursued for approval under this application. The building identification and wayfinding signage will be largely obscured from view from any public space or public reserve.

The signage discussed above is not prohibited at the site in accordance with Part 3.3 of *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP).

4.8 Tweed Local Environmental Plan 2014

The land is identified within the Land Application Map of the Tweed LEP 2014. As such, the provisions of the Tweed LEP 2014 apply to the site. The following sections provide an assessment of the clauses of key relevance to the proposal.

4.8.1 Clause 1.2 – Aims of the Plan

The proposal will make a positive contribution towards the aims of the Tweed LEP 2014 by encouraging a sustainable local economy, and by giving effect to Council's adopted strategic planning principles, including liveable communities and diverse housing and lifestyles.

4.8.2 Clause 1.4 – Definitions

As discussed in **Section 3** of this EIS, the proposal is for seniors housing. Seniors housing is a type of residential accommodation.

Seniors housing is defined under the LEP, as:

"seniors housing" means a building or place that is—
(a) a residential care facility, or
(b) a hostel within the meaning of *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 5, or
(c) a group of independent living units, or
(d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
and that is, or is intended to be, used permanently for—
(e) seniors or people who have a disability, or
(f) people who live in the same household with seniors or people who have a disability, or
(g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,
but does not include a hospital."

The proposal includes a residential care facility and a group of ILUs.

4.8.3 Clause 2.3 – Land Use Table

The site is zoned R1 General Residential. Seniors housing is permitted with consent within the R1 General Residential zone.

The objectives for these zones are shown below.

Zone R1 General Residential Zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage the provision of tourist accommodation and related facilities and services in association with residential development where it is unlikely to significantly impact on amenity or place demands on services beyond the level reasonably required for residential use.

Broadly, the proposal is compatible with the objectives of the zone by providing for the housing needs of the community, adding to the variety and density of housing types and incorporating facilities and services to meet the day-to-day needs of residents.

4.8.4 Clause 4.3 – Height of Buildings

The subject site has a maximum height limit of 8m.

The objectives of the control are listed below:

- (a) to establish the maximum height for which a building can be designed,
- (b) to ensure that building height relates to the land's capability to provide and maintain an appropriate urban character and level of amenity,
- (c) to ensure that taller development is located in more structured urbanised areas that are serviced by urban support facilities,
- (d) to encourage greater population density in less car-dependant urban areas,
- (e) to enable a transition in building heights between urban areas comprised of different characteristics,
- (f) to limit the impact of the height of a building on the existing natural and built environment,
- (g) to prevent gross overshadowing impacts on the natural and built environment.

By way of background, the existing Hastings Point Retirement Village (DA06/0413 as modified) was assessed and determined under the *Tweed Local Environmental Plan 2000* (Tweed LEP 2000) framework. At that time, the Tweed LEP 2000 established the maximum building height for the site was 3 storeys. Schedule 1 of the Tweed LEP 2000 defined a maximum storey height for residential uses at 4.5m, translating to an overall permissible height of up to 13.5m for a 3-storey development.

The existing (Stage 1) development comprises 3x 3-storey buildings with a maximum building height of about 11.5m. The remaining approved stages under DA06/0413, comprise an additional 4 buildings of equivalent height. While these buildings have not been built, consent to do so remains available within DA06/0413 (as modified).

The proposal being pursued under this SSD Application, seeks approval for 3-storey buildings, similar to the existing development onsite and approved building heights. The proposed maximum height under this SSD is 12.205m from the existing ground level.

Building elevations and section plans for each new proposed building are provided in the **Architectural Plans** prepared by Arqus Design which are enclosed as **Appendix A**. It is evident when reviewing these plans, that the proposed built form is consistent and compatible with the existing development established on the site under DA06/0413 (as modified).

Whilst the underlying objectives of the development standard are directly relevant to the proposal, compliance with the prescribed 8m maximum height of buildings provision is unreasonable and unnecessary in this instance. Specifically:

- An existing development consent remains valid which facilitates building height approximately 1x storey taller than the maximum height provision;
- The proposed height variation and built form outcome, is consistent with the approved development and the existing (Stage 1) development, as constructed;
- The transition in building heights between the site and adjacent low density residential lots has been established for over 15x years by the 3 storey residential flat building typology of the Stage 1 buildings;
- Whilst not determined by Council to be 'substantially the same' as the existing consent, the proposal undoubtedly forms an evolution of this consent to meet contemporary seniors housing standards and expectations. In this regard, the intent of the development consent has not been abandoned, rather, realised in an alternate, contemporary manner;
- Impacts associated with building height such as amenity, overshadowing, visual impact and visual privacy are all demonstrated through the various technical studies to be effectively managed through setbacks, siting and orientation of the proposed buildings;
- In the context of site-specific investigations, it is identified that the maximum height of buildings imposed gives rise to the underutilisation of the land for its capability and current context;
- The subject site benefits from access to all essential services, likewise, no limitation has been identified to accommodating the proposal within the infrastructure network; and
- The proposal will make a notable positive contribution towards the LGAs housing needs and services.
- Clause 87(2)(b) of the Housing SEPP permits a bonus height increase of up to 3.8 metres above the maximum permissible building height. This in-turn, provides building heights up to 11.8m

which is only marginally encroached by roof features (refer to Drawing DA-2-32 of the **Architectural Plans** provided at **Appendix A**).

Forcing numeric compliance with the 8m height control would thwart achievement of the wider strategic objectives, including Clause 1.2 Aims of the Tweed LEP 2014. Mandating compliance would require deletion of multiple apartments and a decrease in communal open space. Such a reduction would not tangibly reduce the 'common' construction costs and therefore result in a price increase for the remaining homes.

The proposed building heights are justified in detail within the **Clause 4.6 Variation Report** which is included at **Appendix AI**.

4.8.5 Clause 4.4 – Floor Space Ratio

As per the Tweed LEP 2014 Floor Space Ratio Map a maximum floor space ratio of 1:1 is applicable to the subject site.

The objectives of the control are listed below:

- (a) to define the allowable development density of a site and for particular classes of development,
- (b) to enable an alignment of building scale with the size of a site,
- (c) to provide flexibility for high quality and innovative building design,
- (d) to limit the impact of new development on the existing and planned natural and built environment,
- (e) to encourage increased building height and site amalgamation at key locations in Tweed.

The proposed development is well below the maximum allowable floor space ratio, achieving a floor space ratio of 0.68:1 across the entire site including the existing (Stage 1) development. This outcome, along with the proposed siting and design of the proposed built form, enables an alignment of building scale and helps mitigate impact on the surrounding built environment.

4.8.6 Clause 5.21 - Flood Planning

As detailed in the **Civil Engineering Report** prepared by Cozens Regan, the proposed development site is partially affected by flooding of Cudgera Creek (refer to **Appendix M**).

Only a small area along the creek frontage within the property is affected by the design flood extent (including climate change) with the proposed development works being situated outside of the flood level and extents.

The proposed development works are not expected to be impacted by flood waters in a design flood event. All proposed habitable floor areas are above the minimum habitable floor level (or flood planning level) of 3.1m and minimum climate change habitable floor level of 3.5m. Draft flood planning levels for the site (and wider Tweed LGA) have recently been exhibited by Tweed Shire Council. This new flood planning level, which include minimum climate change habitable floor levels, is mapped at 3.4m AHD. All habitable floor levels are above the 3.4m AHD level.

The current PMF level for the site is 4.1-4.2m AHD. The Draft PMF levels exhibited by Tweed Shire Council are 4.5m AHD.

The minimum floor level for Buildings D, and F are above the current and draft PMF levels.

Building G has a finished slab level of 4.050m and Building E has a finished level of 4.2m. Consequently, the 3 ground floor apartments in Building G and 8 units in Building E may be subject to minor inundation during a maximum PMF event.

Given the proposed development works are largely located above the PMF level and that PMF free access is provided from the site to the nearest emergency evacuation centre at Pottsville Beach Public School and or Pottsville Sports Centre, the flood risk to life and property associated with the proposed use of the land is considered low.

4.8.7 Clause 5.22 – Special Flood Considerations

Located above the flood planning level, the proposed development is considered compatible with the land's flood behaviour in the event of a flood. While minor regrading is proposed, the proposal does not involve any substantial filling and is considered unlikely to result in cumulative impacts on flood behaviours.

Given the majority of occupant's have an option to shelter in place, while all units can evacuate via PMF free access to the nearest emergency evacuation centre at Pottsville Beach Public School and or Pottsville Sports Centre, the development is not considered to adversely impact the operational capacity of emergency services during an emergency event.

A flood emergency response management plan could be prepared for the site as part of any ongoing operational arrangements to ensure that residents are aware of the risks and processes to follow during extreme flood events.

4.8.8 Clause 7.1 – Acid Sulfate Soils

The site is mapped within the Class 3 overlay area under the Acid Sulfate Soils Map of the Tweed LEP 2014.

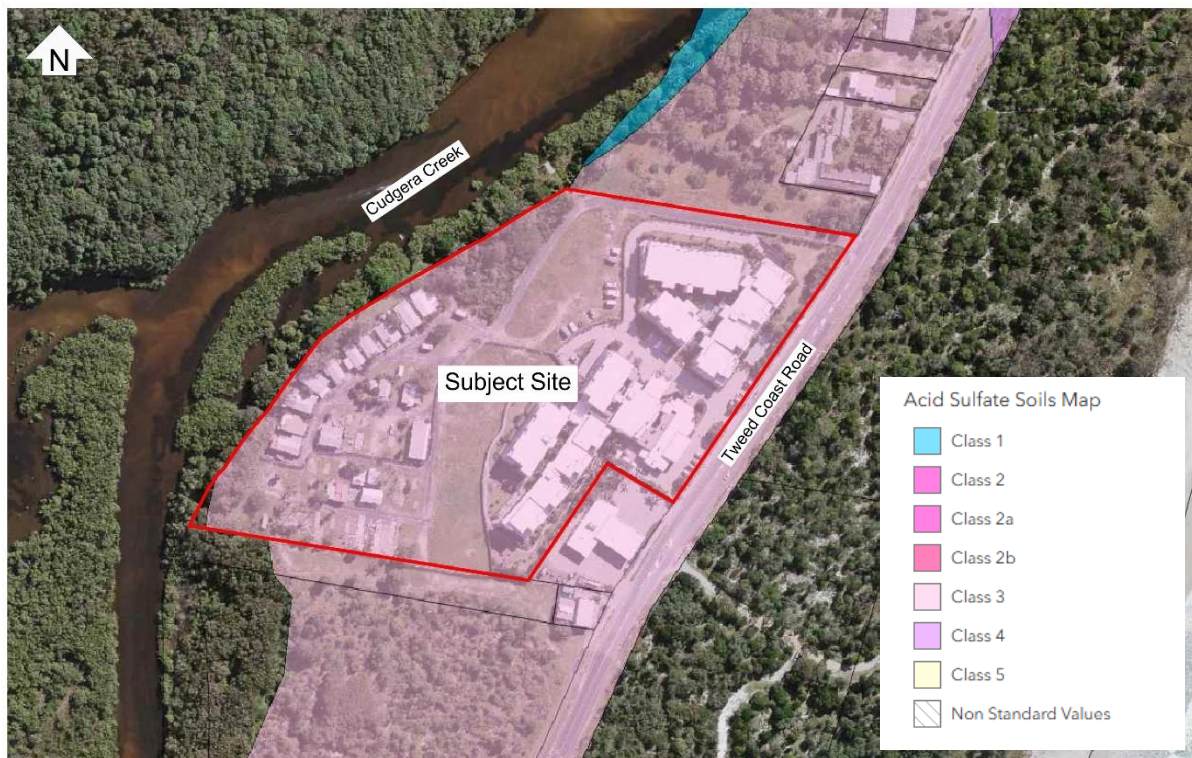


Figure 4-2 | Acid Sulfate Soils Mapping (Source: Spatial Viewer)

Given the potential for Acid Sulfate Soils to occur onsite, an **Acid Sulfate Soils Management Plan** has been prepared by ENV Solutions (refer to **Appendix J**).

ENV Solutions conducted an ASS investigation which included the drilling of 8 boreholes to a depth of 5m (1.5m below the proposed depth of disturbance), with the collection of soil samples at approximate 0.5 m intervals. The results indicated that soil profiles from 2.5m to 5.0m are classifiable as ASS. Therefore, soils in these locations will require liming treatment, if disturbed.

The **Acid Sulfate Soils Management Plan** details the proposed management guidelines and mitigation practices that are to be incorporated as a part of the proposed works should material be exposed during excavations and should this material be exported off-site.

4.8.9 Clause 7.2 – Earthworks

The proposed development involves excavation to facilitate the upgrade and installation of services, construction of basement car parks and placement of the infiltration tanks.

Specific to the proposed earthworks:

- The site is not in an area subject to slope instability. A **Geotechnical Assessment** has been undertaken by Martens, which indicates a low risk to surrounding environments associated with earthworks at the site (refer to **Appendix AE**).
- The history of the site and area, AHIMS records, Council's Cultural Heritage Management Plan and the **Aboriginal Cultural Heritage Assessment Report** (refer to **Appendix N**) indicate that any likelihood for the land to contain items of cultural significance is low.
- The DSI (refer to **Appendix AC**) also confirmed that the site is free from significant contamination.
- The **Hydrogeological Impact Assessment** (refer to **Appendix AD**) includes modelling on groundwater conditions at the site, to consider temporary construction dewatering and potential long term groundwater impacts. The reporting confirms that dewatering (and associated earthworks) can be completed without detrimental impact to groundwater, receiving environments and groundwater dependent ecosystems.
- The **Stormwater Management Plan** and **Erosion and Sediment Control Plan** (refer to **Appendix K** and **Appendix L**), confirm that earthworks can be controlled, to ensure minimal risk of impact to downstream environments.

The proposed earthworks are not considered likely to have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

4.8.10 Clause 7.5 – Coastal Risk Planning

The site is not identified as coastal risk on the Coastal Risk Planning Map. Likewise, the site is also not identified under Tweed Shire Council's DCP – Section B25 Coastal Hazard Mapping as being subject to coastal hazards.

4.8.11 Clause 7.6 – Stormwater Management

By pursuing the proposed 3 storey-built form, the proposed development has been designed to minimise hardstand areas and greater permeability is achieved. The proposal includes stormwater management measures in accordance with Tweed Shire Council's standards. These measures are detailed in the **Civil Engineering Report** and **Stormwater Management Plan** prepared by Cozens Regan (refer to **Appendix M** and **Appendix K** respectively).

Specifically, the **Stormwater Management Plan** illustrates that the proposed development complies with Tweed Shire Council's DCP requirements, Australian Rainfall and Runoff, relevant Australian Standards and best engineering practice.

It is intended that stormwater runoff from the development site will be captured by onsite piped drainage, directed to proposed infiltration pits and discharged through infiltration trenches and then via the legal point of discharge for the site, being Cudgera Creek.

The proposed infiltration areas have been designed and sized to satisfy Council's requirement to capture runoff for an ARI 3-month storm and limit the discharge rate to the pre-development flow rates for each catchment. An oil and grit separator is also proposed to mitigate potential for sediment generation and oil/grease within the driveways and car parks.

4.8.12 Clause 7.10 – Essential Services

As discussed in **Section 3** of this EIS, the site has existing access to all urban essential services. Augmentation of public utility services has not been identified as being required. Rather, the proposed development will be serviced by extensions and alterations to the existing service mains,

pumps and stations within the site. There are no known impediments which would prevent the extension / alteration of essential services within the site to the proposed buildings.

4.9 Proposed Environmental Planning Instruments

4.9.1 Draft SEPPs

Section 4.15 of the EP&A Act requires that any proposed instrument that is or has been the subject of public consultation under the EP&A Act and that has been notified to the consent authority is to be taken into consideration.

The Proposed new Remediation of Land SEPP has been identified as the only proposed instrument on DPHI's work program that could be considered relevant to the project. The subject site is compliant with the existing Chapter 4 Remediation of Land of the Resilience and Hazards SEPP. In this regard the proposed development would not raise any concerns regarding the proposed new Remediation of Land SEPP.

4.9.2 Planning Proposals

A review of current planning proposals relevant to the Tweed LEP 2014 has found that no current proposals are applicable to the proposed development.

4.10 Tweed Development Control Plan 2008

As per Clause 2.10(1) of *State Environmental Planning Policy (Planning Systems) 2021*, DCPs do not apply to State Significant Development applications. Nevertheless, the proposal has considered the provisions found within the Tweed DCP 2008 to design a development that sits well within its context.

An assessment against the relevant sections of the Tweed DCP 2008 is provided in Table 4-6

Table 4-6 | Tweed DCP Compliance Table

Section	Comment
Section A1 – Residential and tourist development	Section A1 of the DCP provides design controls for residential and tourist product. Given the seniors housing land use and building typology being pursued at the site, and in consideration of Clause 2.10 of the Planning Systems SEPP, the proposal is more suitably assessed against the objectives and design controls of the Housing SEPP, the ADG and the Seniors Housing Design Guide 2023, rather than Section A1 of the Tweed DCP. This assessment has occurred as described under Section 4.9 of this EIS and in the Architectural Design Report contained in Appendix E.
Section A2 - Site Access and Parking	<u>Traffic and Access</u> A Traffic Impact Study and Construction Traffic Management Plan has been prepared by Planit Consulting (refer to Appendix G and AL respectively) to evaluate the potential traffic-related effects of the proposed development on the surrounding road network. The Construction Traffic Management Plan identifies that construction traffic will access the site via an existing access road which traverses along the northern boundary of the site, ensuring a separation of construction traffic and residential traffic to minimise any adverse impact on existing residents and services. Once operational, the construction access is proposed to be maintained as an emergency ingress/egress point only.

Section	Comment				
	Access to the site for the existing development, and as each new stage becomes operational, will be provided via the existing driveway crossover and internal access road. It is noted that the existing driveway crossover and internal access road was sized and designed to accommodate all future stages of the development approved under DA06/0413 (as modified). The proposed development will result in a reduced yield, then that approved under DA06/0413, and is not anticipated to impact on the service level of the access or local roads. Consequently, no upgrade works to existing transportation infrastructure (roads or intersections) are required to mitigate the impact of additional trips generated by the proposed development. Car Parking DA06/0413 (as modified) required the provision of 88 car parking spaces to satisfy the demand associated with the existing (Stage 1) development. A total 122 car parking spaces have been provided by existing (Stage 1) development, comprising 112 spaces in basements and 20 spaces on ground. An additional carwash bay, mini-bus bay and ambulance space is provided. The stamp approved plans for DA06/0413 (as modified) showed an additional 11 spaces being provided on ground within the Stage 2 development area but associated with Stage 1. In determining the required car parking for the development proposed under this SSD Application, the DCP does prescribe set parking rates for a RAC, though it specifies that parking for ILUs must be provided in accordance with the Housing SEPP. The Housing SEPP specifies different parking rates for the RAC than Council's DCP and also stipulates parking rates for ILU development. In accordance with the DCP, 1 space per 6 beds and 0.5 spaces per staff are required. This equates to 8 spaces per 47 beds and 15 spaces per 30 staff. 23 spaces are therefore required for the RAC / Building D. 23 spaces are provided in the basement for Building D, amongst additional parking provided on grade. In accordance with the DCP (and Housing SEPP), 60 spaces are required for the ILUs. 73 spaces are provided for the ILUs in the basement amongst other additional on grade parking. A detailed assessment of the parking requirements for the ILUs under the DCP and Housing SEPP is provided under Section 7.3 and Section 7.4 of the Traffic Impact Study (refer to Appendix G). The proposal also provides 52 bicycle spaces within the basement car parks.				
Section A3 – Development of Flood Liable Land	The proposed development is compliant with the flood planning provisions under Section A3 of Tweed DCP 2008 as summarised below. <table border="1"> <thead> <tr> <th data-bbox="544 1727 807 1783">Design Controls</th><th data-bbox="807 1727 1396 1783">Compliance</th></tr> </thead> <tbody> <tr> <td data-bbox="544 1783 807 2016"> Design Levels Flood </td><td data-bbox="807 1783 1396 2016"> The design flood level for this site is RL 3.1m AHD. The finished ground floor level of each proposed building is well above this design flood level. Basement car parks have also been designed to be protected with entrances above the Climate Change Habitable Floor Level. </td></tr> </tbody> </table>	Design Controls	Compliance	Design Levels Flood	The design flood level for this site is RL 3.1m AHD. The finished ground floor level of each proposed building is well above this design flood level. Basement car parks have also been designed to be protected with entrances above the Climate Change Habitable Floor Level.
Design Controls	Compliance				
Design Levels Flood	The design flood level for this site is RL 3.1m AHD. The finished ground floor level of each proposed building is well above this design flood level. Basement car parks have also been designed to be protected with entrances above the Climate Change Habitable Floor Level.				

Section	Comment
	High Flow Areas The site is not within a High Flow Area. PMF / Emergency Response Provisions Residents would be able to shelter in place until further directed by emergency personnel and evacuate by flood free routes along Tweed Coast Road, which sits above the PMF, to Pottsville Beach Public School and/or Pottsville Sports, which is where there are temporary emergency centres established in times of flood. A flood emergency response management plan could be prepared for the site as part of any ongoing operational arrangements to ensure that residents are aware of the risks and processes to follow during extreme flood events. Filling Earthworks will be required to facilitate the construction of the main building platforms., including basement car parking and proposed driveways. This will involve cut to fill earthworks. All fill material is to be won on site. No imported fill material is required. Earthworks have been minimised over the site to retain the existing topography as much as feasible. Building Materials The design incorporates flood resilient material selections, particularly on the ground floor. Electricity Supply Electrical fittings will be positioned above the design flood level. Basement Car Parking Basement car parks have been designed to be protected with entrances above the Climate Change Habitable Floor Level ensuring flood immunity.
Section A6 – Biting Midge and Mosquito Control	The site is near areas of biting midge breeding habitat associated with Cudgera Creek and referenced in Tweed Shire Council's DCP mapping of mosquito and biting midge breeding habitats. Accordingly, a Biting Insect Impact Assessment has been prepared by Mosquito Consulting Services Pty Ltd (refer to Appendix AF). The assessment, which included field survey collection and analysis, concludes that occurrence for biting midge at this site is low. This due to the relatively small areas of potential breeding sites. Mosquito exposure at the development site and risk that the proposal would increase exposure has also been assessed as low. The report concludes that risks associated with biting midge are controlled by the inclusion of the bushfire APZ, which acts as an effective biting insect buffer.

Section	Comment
Section A9 – Energy Smart Homes Policy	The proposal is accompanied by an Environmentally Sustainable Design Report (refer to Appendix Y) and BASIX Report & Associated Certificates including BASIX Certificates and NatHERS Certificates (refer to Appendix X) prepared by ADP Consulting. As detailed in the BASIX Report & Associated Certificates the proposed development exceeds the minimum water and energy targets and achieves the target 'pass' requirement for thermal comfort.
Section A13 – Socio-economic assessments	A Social Impact Assessment has been prepared by HillPDA (refer to Appendix U). The Social Impact Assessment identified potential social impacts during construction of the proposal including access arrangements, changes in amenity, and potential disturbance to the neighbourhood. The analysis concludes that with appropriate standard construction mitigations in place, social impacts arising from construction at the site to onsite and nearby residents are likely to be low. The Social Impact Assessment also identified that potential social impacts during the operation of the proposal are expected to be overwhelmingly positive. Overall, the Social Impact Assessment concluded that the proposed development is expected to have a positive impact on the social environment. The proposed development will result in the direct economic investment of \$87.5M, that will directly stimulate the local economy, especially during construction. This spending will be spread across labour, materials, services, and subcontractors, leading to income generation for local businesses and workers. Employment during construction will likely be temporary but significant. The project will create construction-related jobs such as site preparation, building, and installation. Depending on the staging of the project, at least 50-100 full-time equivalent (FTE) jobs could be created during the construction phase, subject to the subcontractors and specialists needed. Post-construction, the operational phase would result in approximately 30 (new) permanent jobs, such as aged care workers, nurses, facility managers, caretakers, administration, chefs, and maintenance staff. In addition, the residents themselves (seniors) may require support services, such as healthcare, social services, and additional care workers, which could create indirect employment opportunities. Seniors residing in the development would contribute to the local economy by spending on local goods and services such as groceries, healthcare, transportation, and leisure activities. This spending would support local and regional businesses, including healthcare services, retail stores, transportation, and entertainment options. Additionally, the presence of a senior community may attract businesses targeting seniors' needs, further boosting local economic activity.
Section A15 Waste and Minimisation Management	Waste generation volumes, storage requirements and waste minimisation opportunities have been estimated under the Waste Management Plan by HMC Environmental (refer to Appendix Z). The proposal does not require demolition to facilitate the proposed work. Construction waste is therefore limited to excavated soils that

Section	Comment	
	cannot be reused onsite, unused construction and landscape materials. The Waste Management Plan confirms this waste can be controlled and collected onsite without being a risk to the environment or nuisance to onsite or adjoining land users. In terms of operational waste, homes, bedrooms and ancillary facilities are provided room for the temporary storage of waste. Chutes are provided within buildings to direct waste to bin-storage areas located within basements. These bin storage areas have been sized to accommodate communal waste, recycle and organic waste bins that have been sized consistent with the DCP requirements. Waste collection points have been provided throughout the development. Onsite management will transfer bins from basements to these collection areas. These bins will be serviced by a private contractor. The vehicle movements and noise associated with these activities have been assessed under the Traffic Impact Study (refer to Appendix G and Noise Impact Assessment (refer to Appendix F) as being suitable to existing and future residents of the site as well as adjoining land uses and residents.	
Section A19 – Biodiversity and habitat management	A BDAR has been prepared by Cumberland Ecology (refer to Appendix T). The BDAR includes specific consideration of the ecological setbacks defined under Section A19 of the DCP as well as those determined under the pre-existing DA approval for the site. Avoidance has been achieved by the proposed development, as it is in the central portion of the site on predominantly cleared areas. The setbacks of the proposed buildings closely mimic the setbacks approved under the pre-existing DA approval. The amount of clearing required at the site has been confirmed as critical for the safety of the approved development footprint as well as the proposed development. Despite losing some plantings onsite, the BDAR commits to offset credits, under the Biodiversity Offsets Scheme, as well as a new onsite Restoration Management Plan, which includes restoration planting to be undertaken onsite, to ensure there is no net-loss of ecological benefits between the former approval and this proposed development. Potential indirect impacts of the proposal include prescribed impacts on the removal of exotic vegetation and man-made structures, vehicle strike impacts and impacts to waterbodies, water quality and hydrological processes. A suite of mitigation measures have also been proposed to minimise these indirect impacts such as stormwater, erosion and sediment control measures as well as the broad restoration management program.	
Section B23 – Hastings Point	Requirement	Comment
Part 4 Precinct Specific Strategies – South Hastings Point		
Controls - General	1. The estuary and associated foreshore public land is to be protected in accordance with the Tweed Coast Estuary Management Plan 2004-2008,	The Tweed Coast Estuary Management Plan 2004-2008, is out of date, as further evidenced by the fact the report is no longer available or referenced on Council's website.

Section	Comment
	Cudgera, Cudgen and Mooball Creeks. The Coastal Zone Management Plan for Tweed Coast Estuaries dated June 2013, supersedes the Tweed Coast Estuary Management Plan 2004-2008, however it is noted that this document is also 11 years old, and Council is currently developing the Tweed Coast and Estuaries Coastal Management Program (TCECMP) to supersede this document. Stage 1 of the process to develop the TCECMP is currently completed, and Stage 2 underway. The proposed development will not result in any direct impacts to the estuary and associated foreshore public land. Indirect impacts have been identified and effectively mitigated through restoration plantings, stormwater management and sediment and erosion control. A review of the Coastal Zone Management Plan for Tweed Coast Estuaries and Tweed Coast Management Program Stage 1 Scoping Study identified no inconsistencies with the proposed development. 2. Native vegetation is to be retained and restored to protect the estuary and foreshore areas in accordance with the Tweed Coast Estuary Management Plan 2004-2008, Cudgera, Cudgen and Mooball Creeks. As above, the Tweed Coast Estuary Management Plan 2004-2008, is out of date and more contemporary plans are now in place. The proposed development is not inconsistent with the more contemporary Coastal Zone Management Plan for Tweed Coast Estuaries dated June 2013. A BDAR has been prepared by Cumberland Ecology to assess all potential ecological impacts (refer to Appendix T). The assessment found that avoidance has been achieved and with the implementation of the proposed mitigation measures and offsetting of residual impacts it is considered that the impacts of the project on biodiversity can be appropriately managed. A Restoration Management Plan has been prepared by Cumberland Ecology detailing proposed restoration works along the

Section	Comment
	Cudgera Creek foreshore (refer to Appendix S).
3. Developments may be required to implement public domain improvements as part of Section 94 contributions.	Noted. There is no adopted locality plan or contribution plan that indicates public domain improvements being pursued in leu or in addition to monetary payments. The proposal does not offer or trigger any requirement for public domain improvements.
4. Developments are to comply with Tweed DCP Section A2 - Site Access and Parking Code and the Carparking and Access controls in Part 6 of this document.	The proposal provides more than the minimum car parking provision requirement and provides safe and efficient vehicle movements (refer to Section 6 of this EIS)
5. Development applications related to developments that are likely to disturb acid sulfate soils will be required to be supported by an Acid Sulfate Soils Investigation and Management Plan in accordance with the Acid Sulfate Soil Manual (ASSMAC, 1998) or the Council's Acid Sulfate Soil Management Plan for Minor Works.	The site is mapped within the Class 3 overlay area under the Acid Sulfate Soils Map of the Tweed LEP 2014. Given the potential for Acid Sulfate Soils to occur onsite, an Acid Sulfate Soils Management Plan has been prepared by ENV Solutions (refer to Appendix J).
6. Development applications for developments that are likely to disturb groundwater, or require dewatering of the site must be supported by a Groundwater Investigation and Dewatering Management Plan prepared in accordance with Council's Draft Guidelines for Dewatering of Soils at Construction Sites, (undated), and obtain all other relevant statutory approvals	A Hydrogeological Impact Assessment which includes modelling on groundwater conditions at the site, has been prepared by Martens to consider temporary construction dewatering and potential long term groundwater impacts (refer to Appendix AD). The assessment found temporary dewatering works required for the excavation and construction of the proposed basement are expected to take approximately 2.74 – 4.54 ML of groundwater over an anticipated dewatering timeframe of 3 - 6 months. A dewatering management plan will be prepared as part of the detailed design process and construction certificate documentation to guide dewatering during the basement construction phase. This includes obtaining all necessary permits.

Section	Comment	
		No long-term groundwater related impacts are expected on nearby properties, coastal wetlands, productive groundwater bores, groundwater dependent ecosystems or littoral rainforests.
	7. Basement carparking is only permissible on sites where protection from the ingress of flood water to a level of 500mm above the design flood level is feasible. Development proposals must address flood issues including emergency response provisions, flood compatibility of structures, and protection of property from flood damage. Developments are to comply with Tweed DCP Section A3 - Development of Flood Liable Land	Basement car parks have been designed to be protected with entrances above the Climate Change Habitable Floor Level ensuring they are flood immune.
	8. The filling of land to avoid flooding must be carefully considered to avoid impacts on adjoining land and water resources and in particular: • changing the existing quality of the landscape and visual setting to the settlement; • removal of vegetation generally and within key visual settings; • loss of visual privacy; • unsightly retaining walls or unsightly embankments at boundaries; • destruction of ecological systems and species, and • destruction of the delicate composition of soil and water gradations from land to water.	The proposed buildings are sited following the gently sloping topography of the site, minimising the need for cut and fill. Located above the flood planning level, the proposed development is considered compatible with the land's flood behaviour in the event of a flood. While minor regrading is proposed, the proposal does not involve any substantial filling and is considered unlikely to result in cumulative impacts on flood behaviours.
	9. Lots likely to be affected by views are to comply with Part 5 - Visual Settings. Lots affected by Visual Settings are: i. From the Bridge looking south (A): affects lots along Tweed Coast Road. ii. Southern entry view (B): affects lots along Tweed Coast Road	The land referred to under this provision has no view loss because of the proposal (refer to Section 6 of this EIS)
Controls – Residential Los	1. Suitable building types as shown in Figure 4.29 Control Diagram - South Hastings Point include: dwelling houses, dual occupancy housing, town houses and granny flats. Refer	Figure 4.29 Control Diagram - South Hastings Point identifies the subject site for houses, dual occupancy housing and town houses. This figure is inconsistent with the approval for a seniors housing development comprising

Section	Comment
	also to Part 6 - Building Type Controls. residential flat buildings on the site and the subsequent construction of Stage 1 of the subject development in 2009. The proposed building type is consistent with the existing (Stage 1) development, valid approval for the remaining stages and expectation held by existing Hastings Point retirement village residents who purchased into the site with knowledge subsequent stages were to be provided. Notwithstanding, the proposed design incorporates significant setbacks, building separation and landscaping to ensure the environmental dominance of the Southern Entry to Hastings Point is maintained and the proposed buildings do not alter or intrude into public viewing opportunities. In fact, it is shown through the detailed Visual Impact Assessment (refer to Appendix AK) that the proposed development will not be visible from the street or public vantage points in the area. In that regard, the building typology and heights proposed are not inconsistent to the intent of the controls to ensure the visual character of Hastings Point is not significantly altered.
	2. Dual occupancy developments within this precinct must possess a minimum site area of 700m² N/A
	3. Town house developments within this precinct must possess a minimum site area of 1050m² N/A
	4. Setbacks are to be in accordance with Figure 4.29 Control Diagram - South Hastings Point As above, Figure 4.29 Control Diagram - South Hastings Point is inconsistent with the approval for a seniors housing development at the site, comprising residential flat buildings, and the subsequent construction of Stage 1. Technical assessments including a BDAR, Bushfire Hazard Assessment and Visual Impact Assessment have been prepared

Section	Comment	
		to determine and confirm appropriate setbacks are provided.
Part 5 – Visual Settings	1. Prior to any alterations and additions, removal or addition of vegetation, new buildings and public domain improvements plans with photomontages must be submitted to council to demonstrate how this view may be impacted upon and measures to mitigate impacts	A Visual Impact Assessment has been prepared by Envisage (refer to Appendix AK). Along with other potential public views, the assessment has directly considered the southern view field as identified in the DCP. The assessment found that the proposed buildings are shielded from view and will not be visible by vehicles or pedestrians travelling north along Tweed Coast Road. Consequently, the proposed development does not impact upon or change the established visually pleasing entry statement to Hastings Point.
	2. Front setback landscaping is to result in mature vegetation, trees and a bushy and green appearance to the street, resulting in buildings being dominated by vegetation; refer to 'A' in the Control Diagram.	No change is proposed to the existing Stage 1 development, which provides the frontage to Tweed Coast Road, including landscaping and deep soil areas.
	3. Commercial frontage must address the view with active frontages; refer to 'B' in the Control Diagram. Large areas of bitumen and concrete and solid walls are not permitted	As above, no change is proposed to the existing Stage 1 development, which provides the frontage to Tweed Coast Road.
	4. Dune vegetation on the eastern side is to be protected.	The proposed development is setback approximately 85m from Tweed Coast Road on the western side.
	5. Simplify the visual qualities of the road by redesigning large and unsightly signage, under grounding power lines and repositioning urban facilities such as garbage bins to be less visually obtrusive	No change is proposed to the existing business identification signage at the entranceway to the site. Building identification signage is intended to be incorporated into the façade of each new building to assist with wayfinding around the site. Additional wayfinding signage is also intended throughout the site, guiding residents and visitors to facilities and services. This building identification and wayfinding signage is not yet shown on the Architectural Plans. Rather, this signage would be

Section	Comment	
		designed to meet exempt development provisions and not pursued for approval under this application. The building identification and wayfinding signage will be largely obscured from view from any public space or public reserve. The proposed signage is not prohibited at the site in accordance with Part 3.3 of the Industry and Employment SEPP.
	6. Screen residential and commercial buildings with dense mature vegetation on side and front boundaries of sites.	The proposed development is setback a minimum 15m from the site boundaries. Landscaping is proposed throughout the development and along property edges as detailed in the Landscape Plans prepared by Arcadia (refer to Appendix AA).
Chapter 6 – Building Type Controls		
Residential Flat Buildings	a. Building forms, roofs and elevations must be broken down into a series of smaller elements.	The design of the proposed development has been carefully considered to achieve a refined, articulated building envelope with varied and stepped forms, modulated skyline, application of fine grain elements (including screens and sun shade elements) and incorporation of plant service areas to enhance the buildings articulation and modulation.
	b. Buildings must have a mix of materials and a high level of detailing.	The proposed development incorporates a selection of low maintenance building materials, and design to achieve a high level of detailing.
Site Configuration		
Deep Soil Zones	a. Additional areas over and above deep soil zones required for conservation purposes may be required refer to Part 4: Precinct Specific Strategies.	The proposal achieves 12,338.35m ² of deep soil zones, comprising 32.49% of the site area, which is primarily located at the rear of the site (refer to Appendix A). The deep soil planting allowing significant landscaping to be provided throughout the development for achieving good screening and privacy for all residents
	b. Front deep soil zone areas are to have soft landscaping	No changes are proposed to the front deep soil zones established as

Section	Comment	
		part of the existing (Stage 1) development.
Above ground external living spaces, balconies and terraces	a. Balconies and terraces cannot be located so as to overlook neighbouring lots to the front or the sides of the balcony/terrace within 5 metres of a boundary	No balconies or terraces are located within 5m of a boundary.
	b. Balconies and terraces on the top level of buildings are not to replace a pitched roof where this is required within a precinct ie. some sections of the Tweed Coast Road require a pitched or skillion roof to face the road	No proposed buildings front Tweed Coast Road.
	c. Roof terraces are not permitted	N/A
Landscaping	a. Prepare detailed landscape plans for review by Council	Landscape Plans have been prepared by Arcadia (refer to Appendix AA) detailing the proposed landscaping.
	b. When preparing site development plans, a survey of existing trees and site vegetation is required. Trees to be retained should be clearly marked to ensure their retention. The quality of site vegetation should be recorded and used to assist in determining building location and built form	An Arborists Report has been prepared by TPZ Project Arborists to determine the condition of trees to be removed within the Northern Sands Tuckeroo-Banksia Forest restoration area (refer to Appendix V). This report identifies 17 trees for removal. This amount of clearing has been confirmed as critical for the safety of the approved development footprint as well as the proposed development. Trees in poor condition have been targeted to achieve the required canopy thinning, along with Bumpy Ash, given this species does not appear to occur in the more established 'natural' areas along the creek bank and appear to shed lower branches as they grow, therefore are not an ideal species near buildings.
	c. Where possible existing trees are to be retained within front and rear setbacks.	The proposed development has been sited centrally on the site, avoiding direct impacts on existing vegetation, where feasible (refer to Appendix V).
	d. Existing shrub planting should be retained where possible	As above, the proposed development has been sited centrally on the site, avoiding direct impacts on existing vegetation,

Section	Comment	
		where feasible (refer to Appendix V).
	e. Species are to include at least 80% of remnant and new local native indigenous trees and shrubs, intermingled with exotic semi-tropical planting. Refer to the Species List in Part 7 - Design Resources	Landscape Plans (Appendix AA) detail the proposed landscape plantings which include primarily native species. A Restoration Management Plan has also been prepared, detailing proposed restoration works along the Cudgera Creek foreshore (refer to Appendix S).
	f. Retain existing landscape elements on sites such as natural rock outcrops, watercourses, dune vegetation, indigenous vegetation and mature trees	As above, the proposed development has been sited centrally on the site, avoiding direct impacts on existing landscape elements, where feasible (refer to Appendix V).
	g. Locate and design the building footprint to enable the retention of existing trees	As above.
	h. On lots adjoining bushland, protect and retain indigenous native vegetation and use native indigenous plant species for a distance of 10 metres within the lot	No indigenous native vegetation is proposed to be removed. Native plant species are predominantly to be used onsite under the proposed landscape strategy, and restoration activities.
	i. Provide planting that is the same height as the building where it is desirable to achieve privacy screening from the street or other busy public places.	The proposed development is largely screened from public viewing locations by existing vegetation and siting of the buildings at the rear of the site. Nevertheless, significant landscape plantings are incorporated throughout the development. Refer to the Landscape Plans prepared by Arcadia (refer to Appendix AA).
	j. Private landscapes are to be designed to blend with public landscapes	The proposed landscaping comprises predominately native species. In particular, the Restoration Management Plan (refer to Appendix S) ensures the private landscape and restoration plantings are consistent with the neighbouring offsite vegetation.
	k. Landscaping should avoid using solid walls within the front setback. This area of landscaping should be on natural ground level	No changes are proposed to the landscaping within the front setback established as part of the existing (Stage 1) development.

Section	Comment	
	l. Pools, carparking, tennis courts and other uses that result in hard surfaces are not allowed within the minimum front setback area.	As above, no changes are proposed to the front setback established as part of the existing (Stage 1) development.
	m. Achieve privacy for dwellings and private open spaces where required by planting dense shrubs and trees to provide low level screening and filtered upper level screening: - Width of shrub planting minimum 2.5 metres. - Shrub planting to range between 1.0-3.0 metres high.	Privacy has been achieved through siting of the buildings, building separation and orientation. Nonetheless, significant landscaping is proposed throughout the site, to further enhance amenities for all residents (refer to Appendix M).
Fronts Setbacks	a. Shop-top housing and Hastings Point shop-top residential flat buildings are to be built to the street boundary.	N/A
	b. Residential flat buildings are to have setbacks in accordance with Part 4: Precinct Specific Strategies	The proposed buildings are setback about 85m from the Tweed Coast Road frontage.
	c. This setback can be varied up to plus or minus 1 metre. On sites where the angle of the front and side boundaries vary by more than 10 degrees the setback can vary by +/- 2 metres	Noted.
	d. Basement garages cannot be located forward of the building footprint	No basement garages are to be located forward of the building footprint.
	e. On grade parking must be located a minimum of 6 metres setback from the buildings front elevation or to the rear of the site	All proposed on grade parking complies with this control.
	f. On sites where the angle of the front and side boundaries vary by more than 10 degrees the setback can vary by +/- 2 metres	Noted.
Side Setbacks	a. Shop-top housing and shop-top residential flat buildings must have zero side setbacks for at least 5 metres back from the street boundary	N/A

Section	Comment	
	b. Residential flat buildings can have minimum of 1.5 metres setbacks for first and second levels of the building	The proposed side setbacks are compliant with this control.
	c. The third level of all buildings must be setback by a minimum of 3 metres from the southern boundary.	The proposed third level side setbacks are compliant with this control.
	d. Primary windows of living rooms facing the side boundaries.	Primary windows from living rooms are generally orientated to the rear setback and are a minimum 30m from the site boundary.
Rear Setbacks	a. For the purposes of buffer areas and other conservation areas an area over and above the rear setback may be required, refer to Part 4: Precinct Specific Strategies.	Noted.
	b. For shop-top housing and shop-top residential flat buildings the rear setback can be a minimum of zero.	N/A
	c. For residential flat buildings existing mature trees within 6 metres of the rear boundary are to be retained where possible.	All existing mature trees within 6m of the rear boundary have been retained.
	d. Garages and carparking may be located adjacent to the rear setback where deep soil zones and Landscaping has been achieved.	Noted.
Carparking and Access	a. Carparking number concessions may be given to small sites to encourage and allow carparking to be fully under the buildings footprint. Concessions may include allowing visitor parking spaces to be located on the street and to allow for not providing car wash bays, carparking numbers may also be reduced.	Noted.
	b. On grade carparking cannot occur within 12 metres of the primary street boundary for flat buildings and 6 metres for shop-top	No on grade carparking is proposed within 12m of the primary street boundary.

Section	Comment	
Basement Carparking	a. Basement carparking cannot extend above ground where it faces a public street or public space, except for where a change in level requires a wall which can be up to 1 metre.	The proposed basement carparking does not extend above ground.
	b. 1.5 metres above ground level can be achieved to the side and the rear of the lot where it does not face a public street or public space.	Noted.
	c. A ramp entering off a public street must start behind or in line with the buildings elevation, they cannot start within the front setback	No ramp is proposed off a public street.
	d. The walls of basement carparks are to be concealed within the building. Basement carparking is not to extend outside the external line of terraces, balconies and porches	The proposed basement walls are concealed within the building.
Building Footprint and Attics, Orientation and Separation	a. The third level of a residential flat building cannot be greater in area than 50% of the footprint of the internal spaces of the level below (The Precinct Controls may reduce this rate, refer to Precinct Controls in Part 4.	As discussed previously in this report, Stage 1 of the development was constructed in 2009, however the remaining stages have not been built. Nevertheless, the site has previously been tested for and approved for development of a 3-storey built form and the 3-storey built form has further been established on the site though construction of the existing (Stage 1) development. The proposed development outcome is comparable to the approved development outcome and does not result in development at the site that is inconsistent with the established building height, building typology, bulk and scale of existing buildings or the established community expectations for future development on the site. Impacts associated with the building form such as amenity, overshadowing, visual impact and visual privacy are all demonstrated through the various technical studies to be effectively managed through setbacks, siting and

Section	Comment	
		orientation of the proposed buildings. Furthermore, with the proposed development setback approximately 85m from the Tweed Coast Road frontage, and having regard to existing vegetation and structures, the buildings shall not generally be visible along the public interface, as illustrated by the Visual Impact Assessment (refer to Appendix AK).
	b. Balconies and terraces on the third or top level can occupy a maximum of 20% of the internal spaces of the level below	As above.
Building Height	a. 10 metres is the maximum overall building height for shop top residential flat buildings. 9 metres is the maximum wall plate height for shop-top residential flat buildings	N/A
	b. The south side of buildings within 3 metres of the boundary is to be a maximum of 7 metres.	The proposed buildings are not sited within 3m of the boundary.
	c. Detached garages are to have an eaves height of no more than 2.7 metres and a maximum overall building height of 3.5 metres for a flat roof and 4.5 metres for a pitched roof.	No detached garages are proposed.
	d. Carports maximum height 3.5 metres for a flat roof and 4.5 metres for a pitched roof	No carports are proposed.
Side and Rear Fences	a. Controls for front fences and walls apply to all fences located along a boundary with a public street, a road, a reserve or other public space.	Noted.
Roofs, Dormers and Skylights	a. Provide a series of roof planes and roof forms. Roof forms of less than 9 metres x 9 metres are encouraged.	The roof forms on all buildings, which include a low pitch gable extending on the north and north-west elevations to provide raked ceilings and clearstory glazing over living rooms on the upper levels, are an integral element of the design, responsive to environmental influences, and contributing positively to the

Section	Comment	
		building articulation through an expressed and modulated skyline.
	b. Combine a variety of roof forms ie. pitched, skillion and flat to break up large areas of roof.	As above.
	c. A maximum of 30% of the roof can be a flat roof.	Noted.
	d. Taper the roof eaves for skillion roofs to give a feathered edge to the building	Skillion roofs are extended over living spaces with clearstory glazing and generous eave overhangs offering desirable environmental shelter to the balance of the building fabric
	e. Relate roof design to the internal layout of the building	As above.
	f. The main roof is not to be a trafficable area. Terraces, balconies or other trafficable roof spaces are not permitted where they provide a view into or over neighbouring private properties.	The main roof is not a trafficable area.
Elevations	a. Coordinate grills/screens, ventilation louvres, carpark entry doors with the elevation.	The design of the proposed development has carefully integrated the fine grain elements (including screens, sun shade elements and carpark entries ensuring an overall cohesive design.
	b. Integrate the design of garage entries with the building elevation design	No garages are proposed.
Materials and Detailing	a. Clad a minimum of 50% of each building elevation. Screening to balconies, doors and windows; including operable louvres, drop blinds and fixed battens or louvres, are considered cladding and contribute to the minimum. Glass window, door and balustrades do not contribute to cladding nor do face brick walls or painted concrete.	The design of the proposed development has been carefully considered to achieve refined articulated building forms using low pitch roofs and expressed portal elements complimentary to the existing development with materials of natural colour, tones, and textures selected to articulate a connection with the landscape and Country. Application of fine grain elements (including screens and sun shade elements) and incorporation of plant service areas enhance the

Section	Comment	
		buildings articulation and modulation. High quality, natural and pre-finished materials are proposed which are low maintenance and envisaged to extend the life cycle of the buildings.
	b. Elevations exclusively designed of a concrete frame with floor to ceiling glass doors and windows and glass balustrades are not permissible.	No elevations are exclusively designed of concrete with floor to ceiling glass doors and windows. Glass balustrades are proposed on balconies to improve visual connection with the borrowed landscape of Cudgera Creek. The balconies are setback over 30m from the property boundary, are not generally visible from public viewing locations and do not result in overlooking or privacy concerns for neighbouring properties.
	c. 50% of the building elevations are to be constructed of lightweight materials. Variations to this may be considered where architectural drawings demonstrate that the building achieve the design ideas as set out in Part 7	The proposed buildings incorporate a cohesive selection of complementary materials and finishes of natural colour, tones, and textures selected to articulate a connection with the landscape and Country achieving the design ideas as set out in Part 7.
	d. Masonry and concrete is to be limited to 50% of the buildings elevations visible from a public place including streets, parks and foreshores	The proposed buildings are largely shielded from view from public viewing locations. Nevertheless, the design incorporates a cohesive selection of materials and finishes of natural colour, tones, and textures selected to articulate a connection with the landscape and Country.
	e. Choose a palette of at least four complementary building materials	Materials or natural colours, tones and textures have been selected to articulate a connection to landscape and Country.
Colour	a. Choose a palette of complementary colours	The selected natural colours and tones include complementary colours (refer to Appendix A). The warm tones and course textures of blockwork emphasise a connection to the earth while the varies green accents and timber lookalike cladding and screens interspersed throughout the building facades draw relations with the

Section	Comment	
		surrounding native plant species on the site.
	b. Use light neutral colours with small splashes of rich colour	The selected colour palette is consistent with this control (refer to Appendix A).
	c. Use shades of the same colour	The colour palette includes shades of the same colour and is reflective of the surrounding environment (refer to Appendix A).
	d. Use the natural colour of materials where ever possible	A natural colour palette reflective of the surrounding environment has been utilised (refer to Appendix A).
	e. Choose lighter shades for roofs	A lighter shade is proposed for the roofs to minimise solar absorption (refer to Appendix A).
Form	a. Use a variety of mainly enclosed forms (walls with windows) with some open forms (balconies) as required. An elevation that consists entirely of open balconies with no walls will not be permitted	The design of the proposed development has been carefully considered to achieve a refined, articulated building envelope with varied and stepped forms, modulated skyline, application of fine grain elements (including screens and sun shade elements), and cohesive selection of materials and finishes (refer to Appendix A).
	b. The maximum length for one of those three forms either along the front, rear or side boundaries is 15 metres. The other forms can be a maximum of 12 metres however a variety of lengths is encouraged	Considered articulation and modular design ensures long or blank walls are minimised.
	c. A break of a minimum of 3 metres width and 2 metres depth is required. Stairwells can occupy this space. The stair well must be open on at least the top level and ideally all levels	The stairwells are open on all levels providing natural ventilation, solar access and amenity.
	d. The maximum overall building length along a side boundary is 30 metres after which a minimum 6 metres landscaped area is required or the minimum separation distances	At over 37,000m ² , the subject site is significantly larger than the typical residential lots within Hastings Point which generally range from about 3,200m ² down to 500m ² . This control is generic and has relevance to lots of 40 to 50m depth. The subject site has maximum side boundaries of 149m in the north and 175m in the south.

Section	Comment	
		The maximum proposed building length to a side boundary is Building F, at 51m. The length and depth of the proposed residential flat buildings are consistent with the existing (Stage 1) buildings on the site, contemporary ADG requirements and are setback sufficiently to avoid overshadowing or detrimental impacts on neighbouring land. Further, no offsite residential development interfaces with the proposed buildings.
	e. The maximum overall building length along a front or rear boundary is 20 metres after which a minimum 6 metres landscaped area is required or the minimum separation distances.	As above, the rear boundary of the subject site is approximately 265m. The maximum proposed building length to the rear boundary is Building E, at 68m the height, bulk and scale of the proposed buildings is consistent with the existing Stage 1 buildings on the site and height of the proposed buildings within the subsequent stages (not constructed) which were previously approved under DA06/0413 (as modified). The proposed development has been tested to confirm the setback sufficiently avoids overshadowing or detrimental impacts on neighbouring land. Further, no offsite residential development interfaces with the proposed buildings
	f. Embellish forms by the use of materials and colour and articulate the building to express the three dimensional nature of those forms, i.e. consider that a form has two, three or four sides and a roof (three dimensions) that together make up a form	The built form of the proposed development is complimentary to the existing development with materials of natural colour, tones, and textures selected to articulate a connection with the landscape and Country (refer to Appendix A).
Floor Space Ratio	a. Shop-top residential flat buildings 1:1 maximum FSR	N/A
	b. Residential flat buildings and Shop-top housing have a maximum FSR of 0.8:1	The proposed development is below the maximum allowable floor space ratio, achieving a floor space ratio of 0.65:1 across the entire site including the existing (Stage 1) development.

4.11 Draft Tweed Development Control Plan

Tweed Shire Council has, through November – December 2025, exhibited a draft Development Control Plan. The draft Development Control Plan relates to the current 'residential and employment land' use chapters under the Tweed DCP 2018 and does not rewrite or aim to replace broader environmental constraint chapters under the Tweed DCP 2018.

In exhibiting the Draft Development Control Plan, Council has expressed that the document is Draft, subject to review and not to be considered a Draft Planning Instrument in assessment of applications, at this stage.

No further review of this Draft Development Control Plan has therefore been made for the subject SSD.

4.12 Planning Agreements

No planning agreements are applicable to the subject site.

4.13 Environmental Planning and Assessment Regulation 2021

Sections 61 to 63 of the EP&A Regulation prescribes further matters that need to be considered by the consent authority for the purpose of Section 4.15(1)(a)(iv) of the EP&A Act.

In response:

- No subdivision order made under Schedule 7 of the EP&A Act or development plan are applicable to the subject site or proposed development;
- The proposed development is not located in on land within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle Shire or on land located less than 200km from the Siding Spring Observatory;
- The proposal does not relate to manor homes or multi dwelling housing;
- The proposal is not within the Penrith City Centre;
- Compliance with fire regulations will be demonstrated through the detailed design of the proposal; and
- Temporary structures are not proposed.

4.14 Relationship Between Existing Consent and Proposed SSD Development

As described through this EIS, the site is currently subject to an active development consent (DA06/0413, as modified), which approved a staged seniors housing development (**Appendix D**). Stage 1 of that consent has been lawfully completed and is operational, comprising 91 independent living units and associated community facilities. The balance of the consent allows for further supported living units and a residential aged care component across the undeveloped portion of the site.

The proposed SSD application does not require, nor seek, a modification to DA06/0413 under clause 4.17(1)(b) of the EP&A Act 1979. Instead, the SSD proposal relates only to the remaining undeveloped land, providing a revised and contemporary outcome for seniors housing while retaining and continuing the existing Stage 1 development

In practice, both consents can continue to operate concurrently without conflict:

- Stage 1 of DA06/0413 remains valid and operational.
- The former caravan park use, contemplated under the earlier consent, has been fully abandoned
- Deferred Stage 2–4 works under DA06/0413 (such as a shade structure, kitchen/laundry, and car spaces) are not required as part of the new SSD proposal. Equivalent or improved arrangements have been made within the SSD application to address operational needs.

-
- Access, car parking, ecological management and service arrangements have been addressed in the EIS to ensure the new development is integrated and does not undermine Stage 1

Appendix AP provides a condition-by-condition matrix showing how the existing consent interacts with the SSD proposal, and demonstrating that:

- Redundant conditions are clearly identified;
- Relevant operational conditions remain applicable; and
- The SSD proposal incorporates measures that meet or exceed the intent of the original consent.

On this basis, the SSD proposal represents a new and standalone development that lawfully coexists with the completed components of DA06/0413. There is no statutory need to vary the existing consent, and no risk of inconsistency between the approvals.

5 Stakeholder Engagement

Community and stakeholder engagement has been undertaken in accordance with the NSW Government publication '*Undertaking Engagement Guidelines for State Significant Projects*'.

5.1 Key Stakeholders

Consultation and engagement activities occurred throughout 2024 with the following key stakeholder groups:

Community Consultation

- Existing residents of the TriCare Hastings Point community;
- Immediate neighbours;
- Local residents;
- Local businesses;
- Local Aboriginal Land Council and Aboriginal Knowledge Holders.

Government and Authority Consultation

- Department of Planning, Housing and Infrastructure (DPHI);
- Transport for NSW;
- Water NSW;
- Environment Protection Authority;
- Essential Energy;
- State Emergency Service;
- Tweed Shire Council;
- Government Architect NSW – State Design Review Panel.

5.2 Engagement Activities

5.2.1 Community Consultation

Community consultation has been undertaken during the planning stages of the proposal and development of this EIS, targeting:

- Existing residents, their families and carers;
- Nearby residents, property owners and businesses with a 700m radius of the subject site (refer to **Figure 5-1**); and
- Representatives of the local Aboriginal community.

Three community drop-in sessions were held on site, on:

- Tuesday 15 October 2024 at 2pm to 4pm;
- Thursday 17 October 2024 at 2pm to 3.30pm; and
- Thursday 17 October 2024 at 5.00pm to 6.30pm.

Existing residents were notified directly by TriCare via an existing community webmail, while nearby residents, property owners and businesses were notified by way of a letterbox drop.



Figure 5-1 | Reach of Letterbox Drop

In total, the sessions were attended by 73 people, the vast majority of whom were existing onsite residents.

Information presented included an overview and description of the proposal, design principles, building heights, traffic, landscaping, sustainability and information about how to become involved including project contact details.

The issues raised by community stakeholders can be grouped under the following key themes:

- Level of care;
- Availability of services;
- Caravan/motorhome parking;
- Landscaping/gardens;
- Solar panels;
- Access, traffic and parking; and
- Impact on existing buildings.

A summary of the feedback received, and response to this feedback is provided in **Table 5-1**.

Table 5-1 | Community Feedback

Comments Raised	Response
Levels of care	
• Aged (high) care is needed in the locality. Would like to see more priority given to aged care, to stop people	TriCare's business model is based on delivering a range of services, but not all sites offer the same levels of care. The availability of these care levels varies across different sites, depending on factors such as facility capacity, resources, and local demand.

having to move away from their community as their care needs increase. • Dementia ward is required onsite to allow residents to have their partners onsite. • Onsite medical facility and nursing stations are required.	The proposal, pursued under this SSD Application, does include an aged care. A dementia ward has not been nominated, though this is also not precluded by the development or requiring a modified approval. While a medical centre onsite has not been nominated either, nursing staff will always be onsite for the RAC. This is in accordance with legislative requirements. Further to this, medical facilities are located within Pottsville, approximately 2km south of the site, which can be accessed via public and private transport, including the Tricare bus service. While not expected, these facilities can also be reached by walking, cycling or mobility scooter via the existing shared path that extends from the site along Tweed Coast Road to Pottsville.
Availability of services	
• There are not enough support facilities provided onsite, through Tricare or the local area for existing residents. This will be exacerbated with no new services being provided. • An onsite area for communal food preparation is needed.	The proposed development includes additional communal facilities designed to meet the needs of residents, fostering a more vibrant and supportive community environment. Moreover, the construction of 51 new ILUs and a 47 bed RAC facility will significantly increase the critical mass of the site. This increase in the number of residents will help support the provision of more services and create opportunities for expanded support options, both on-site and through local partnerships.
Caravan/Motorhome Parking	
• The original DA provided caravan parking for residents. Would like to see this maintained.	A dedicated space for caravans and motorhomes is not proposed due to the increased need for residential and communal areas.
Landscaping/Gardens	
• Existing residents have established a community vegetable garden	The current community garden area will be affected by the planned development. TriCare is committed to working with existing residents to incorporate a new, dedicated communal vegetable garden into the detailed landscape plans for the development.
Solar Panels	
• Residents support the provision of solar panels. • Residents are seeking to pursue solar panels on the existing Stage 1 buildings.	Noted. Solar panels are proposed for all buildings being pursued under this SSD Application. These solar initiatives form part of a broader suite of initiatives to achieve an ecologically sustainable development.
Access, Traffic and Parking	
• There are sight line issues when exiting the site due to on street parking south of the site. • A loop road and second entrance should be	The Traffic Impact Study includes a review of the existing site access, proposed internal roads and surrounding public road network. This review considers all resident, staff and service vehicle movements (Appendix G).

considered. This would help alleviate congestion and parking issues at the site entrance and assist traffic flow. • The existing access and parking is already congested with residents, staff and service vehicles (grocery, health and other services). This will be exacerbated with additional residents and more reliance on service vehicles. • The parking and traffic analysis must consider the amount of service vehicles currently and likely to access the site to service the residents and facility. • Concerned with amenity impacts associated with coming and going vehicle movements on the 1 driveway, particularly at night.	A second entrance is proposed for during the construction phase for construction vehicles. This entrance will be retained following completion of construction for emergency vehicle access only. The existing site entrance was originally designed to accommodate the existing Stage 1 development and all subsequent stages. The intersection has been retested as part of the Traffic Impact Study against relevant Australian Standards and found to provide an optimal level of service. As such, no intersection upgrades are proposed (Appendix G).
Impacts on Existing Building C1	
• The proposed driveway is too close to Building C1. This was previously approved as a landscaped garden and pedestrian accessway only. • Concerned about the impacts from noise and views of vehicles using the driveway close to Building C1. • Ground floor apartments in Building C1 have pedestrian access close to this driveway. It will cause safety issues. • Unsure of the height difference between the new driveway, any fence and the stories in Building C1.	A deep soil area has been retained at the rear of Building C1. As detailed in the Landscape Plans, canopy trees and shrubs are proposed to help maintain privacy and screening to existing residents of Building C1. A formal pedestrian path is also proposed beside the roadway to promote pedestrian safety.

5.2.2 Connecting with Country

Heritage Management and Planning Pty Ltd was engaged to provide guidance on Connecting with Country for the project, and to assist in undertaking meaningful and genuine engagement with Aboriginal Knowledge Holders and local Aboriginal groups.

The methodology for engaging with the local Aboriginal community as part of the Connect to Country process involved several key steps. In August 2023, an expression of interest/registration process was conducted. A methodology proposal outlining background information about the Study Area and the proposed seniors housing project was issued in November/December 2023. This was followed by an onsite meeting on 24 November 2023, where stakeholders, including Aboriginal representatives and TriCare, walked through the Study Area to discuss the project's objectives and design. Finally, a draft Aboriginal Cultural Heritage Assessment report was issued in late December 2023, though no comments were received regarding the proposal.

The objective of the consultation process was to support the project in aligning with the Connecting with Country Framework, as well as to embed Aboriginal design principles and be guided by the local Aboriginal community. The aim in doing so was to facilitate a connection between the project and the local Aboriginal community of the Hastings Point region. The **Connecting With Country Design Report** is provided in **Appendix O**.

5.3 Government and Authority Consultation

5.3.1 State Design Review Panel

Prior to lodgement of this SSD, the project team met with the State Design Review Panel (SDRP) on 8 June 2022. The purpose of the meeting was to present the site and architectural design response to the SDRP and seek feedback on key design matters.

The minutes of the SDRP meeting are enclosed within **Appendix AN**.

The design was assessed by the SDRP who were generally supportive of the overall concept, however raised some recommendations and provided advice for consideration in refining the site response. The architectural design team took into consideration the SDRP recommendations, and amendments to the design were pursued following the meeting.

A detailed response to matters raised by the SDRP is provided in the **Architectural Design Report** prepared by Arqus Design (refer to **Appendix E**).

5.3.2 Authority and Government Agency Consultation

As required by the SEARs, the project team briefed the relevant local and state government agencies and authorities regarding the proposal.

Feedback provided is addressed in the relevant technical reports appended to this EIS and briefly summarised in **Table 5-2** below.

Table 5-2 | Government Agency Responses

Comment	Response
Former Department of Planning and Environment (Water Group) (Now Department of Climate Change, Energy, the Environment and Water)	
No response received	The Water Group advised that an assessment will be undertaken upon lodgement of the EIS.
Department of Primary Industries and Regional Development (Fisheries)	
The proposed development has the potential to cause direct and indirect impacts to	Formal Assessments of Significance required under Section 221ZW of the <i>Fisheries Management Act 1994</i> have been completed (refer to Appendix Q) to assess the impacts of the proposed work to Fish Habitat, including all threatened

Key Fish Habitat, including vegetation loss, a reduction in the current buffering capacity between sensitive habitats (Coastal Wetlands and tidal waters) and development, and via an increase in urban water discharges. An aquatic impact assessment should be undertaken in accordance with Section 3.3 of the Policy and guidelines for fish habitat conservation and management (Department of Primary Industries, 2013) to ensure that the project is designed, constructed and operated in a way that avoids and minimises direct and indirect impacts to key fish habitat.	species, populations or ecological communities listed under the <i>Fisheries Management Act 1994</i>. - These assessments form part of an Aquatic Impact Assessment prepared in direct response to DPIs submission (refer to Appendix Q). - The assessment concludes that the proposal is not considered to present a significant risk for detrimental impact to Fish Habitat because of the design, construction and operation of the project and therefore further analysis is not required.
NSW Environment Protection Authority	
The EPA has no comment on this proposal and no further consultation is required.	N/A
Transport for NSW	
- Requests that a Traffic Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, the complementary TfNSW Supplement and RTA Guide to Traffic Generating Developments. - Noted that in determining the application under the <i>Environmental Planning and Assessment Act 1979</i>, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development.	- A Traffic Impact Study (refer to Appendix G) prepared by Planit Consulting in accordance with these guidelines. - The assessment concludes that traffic generated by the proposed development will have minimal impact on the capacity, safety, and functionality of the local road network, including Tweed Coast Road which is a classified (Regional) road.

Essential Energy

- No response received.
- DA25/0123, which is the local-DA also being pursued for the subject site (refer to **Section 2.3** of this EIS), was referred to Essential Energy for comment.
- Essential Energy has responded to this DA, and indicated that: *'Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.'*
- Given the scale of development and ultimate electrical demands being considered for the site are similar under this SSD Application to the local-DA under DA25/0123, the comments provided by Essential Energy for DA25/0123 can be considered relevant for this project.

State Emergency Services;

- Recommended that consideration of flooding issues is undertaken in accordance with the requirements of NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 (the Manual) and supporting toolkit, including the Support for Emergency Management Planning and relevant planning directions under the Environmental Planning and Assessment Act, 1979.
- Recommend completing a Flood Impact Risk Assessment (FIRA), including the consideration of climate change. The assessment should examine both the impact of the complex flood profile of Cudgera Creek on the development, including fill, and the impact of the development on flood behaviour. Risk considerations should include duration of flooding, hazard, depth, velocity and time to onset up to the Probable Maximum Flood (PMF) and under climate change conditions. Further advice
- A Flood Impact Assessment has not been prepared, given the proposal is above the design flood level. This includes all homes and basement entries.
- Earthworks have been minimised over the site to retain the existing topography as much as feasible.
- While part of the development is within the PMF, and some development is proposed below the PMF level, most of the site is above the PMF. Vehicle access to, from and within the site is above the PMF. The local emergency evacuation centres are in Pottsville, which can be accessed by Tweed Coast Road from the site. This roadway is also above the PMF.

should be sought from the Department of Climate Change, Energy, the Environment and Water. - Recommend pursuing site design that avoids placing residents at risk of significant flooding or isolation. - Recommend excluding basement car parking from parts of the site that are at risk of flooding, up to 279 car spaces for this proposal, or ensuring passive protection from flooding. In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation. Evacuation must not require people to drive or walk through flood. water. Basement car parks have inherent risks to life and property⁷ and can often restrict safe evacuation of the occupants.	
NSW Rural Fire Service	
- The RFS noted that the subject land is part mapped bushfire prone land by council. - Standard industry specific SEARs were issued that included that a Bushfire Assessment be provided that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection	- Noted. - DA25/0123, which is the local-DA also being pursued for the subject site (refer to Section 2.3 of this EIS), was referred to the NSW Rural Fire Service. That DA is a similar development proposal to the project being considered under this EIS, except that it does not include a RAC. The bushfire protection measures for the local-DA and this SSD proposal are the same. The NSW Rural Fire Service has issued General Terms of Approval for DA25/0123, which provides good indication that the proposal subject to this EIS has been made consistent with the relevant bushfire planning requirements and would obtain a Bush Fire Safety Authority from the relevant authority.
Tweed Shire Council	
- Council provided notes at a pre-lodgement meeting for the local-DA also being considered concurrent to this SSD application. - The comments are relevant to this proposal,	Specific to Council's comments <u>Statutory framework</u> This framework has been addressed through Section 4 of this EIS <u>Restoration Management Plan</u>

given the similarity of the proposals. • Council's comments relate to: ○ Detailing the applicable statutory framework and provisions applicable to the site and proposal ○ Expressing concern in relation to: ▪ The proposed building height and typology ▪ Consistency with the approved Restoration Management Plan for the site under DA06/0413 ▪ Absence of the delivering public works and land, despite existing consent conditions under DA06/0413	Close consideration has been made to ensure the proposal does not undermine and instead, provides an improved ecological outcome than that approved under DA06/0413. This has included, amongst other commitments, a new / revised Restoration Management Plan for the site (Appendix S). <u>Public Works</u> These comments relate to Council drafted and imposed conditions on DA06/0413 to provide a viewing platform to Cudgera Creek, to dedicate land within the site that fronts Cudgera Creek to Council and to upgrade beach access on the opposite side of Tweed Coast Road to the site. It is evidenced through the historical information held by Tweed Shire Council for DA06/0413 that these conditions were drafted and imposed by Council, as Council's intended response to meet heads of consideration under the now repealed <i>State Environmental Planning Policy 71 - Coastal Management</i> and also Council's <i>Tweed Coast Estuary Management Plan 2004-2008</i>. The applicant for DA06/0413 did not propose or offer these public works, and there was no Locality Plan or Infrastructure Delivery / Contributions Plan in place at the time of this DA determination that planned for or supported this work. Since the determination of DA06/0413 in 2007, Council has updated its Contribution Plan and adopted the Hastings Point Locality Based Code under the Tweed DCP. Neither of these instruments identify or plan for these public works or land acquisition. The conditions of consent have been legally tested as being unjust, and unenforceable. Notwithstanding, and for the purposes of this SSD Application, the public upgrade works and dedication of land to Council is not proposed. The land fronting Cudgera Creek is to be protected under the endorsed and proposed Restoration Management Plan. Equally, there is no public access to this land from Tweed Coast Road. Public access would need to be via the Creek if this land was under public ownership. Dedicating this land as public, causes issues for ongoing restoration and may undermine this ecological response. It also presents significant safety concerns for the seniors housing estate and its operators and therefore cannot be supported. The requirement to dedicate land to Council and provide public facility upgrades is not required to meet the relevant statutory provisions that apply to the site under the contemporary planning framework, is not beneficial to the proposal or wider community and would result in unfavourable outcomes at the site.
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6 Assessment and Mitigation of Impacts

In accordance with the NSW Government *State Significant Development Guidelines – Preparing an Environmental Impact Statement* this section of the EIS provides a detailed summary of the technical specialist studies which have been undertaken to inform the design of the proposed development, assess potential environmental and social impacts and identify the measures that will be implemented to mitigate and manage residual impacts. The issues have been addressed in sequence with the industry specific SEARs for seniors living.

6.1 Capital Investment Value and Employment

An **Estimated Development Cost Report** had been prepared by Mithcell Brandtman (**Appendix AJ**) in accordance with the EP&A Regulation and as per the Planning Circular PS 24-002 titled “Changes to how development costs are calculated for planning purposes” issued by the NSW Government, dated 27 February 2024 to determine the capital investment estimates required as follows:

2. Capital Investment Value and Employment

- Provide a detailed calculation of the capital investment value (CIV) of the development prepared by a qualified quantity surveyor
- Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided.

The **Estimated Development Cost Report** indicates a total estimated development cost of \$87,583,995 excluding GST. The costs are inclusive of builders work, labour, materials and plant, preliminaries, contingency, profit and overheads and consultant fees.

Depending on the staging of the project, at least 50-100 full-time equivalent (FTE) jobs could be created during the construction phase, subject to the subcontractors and specialists needed.

Post-construction, the operational phase would result in approximately 30 (new) permanent jobs, such as aged care workers, nurses, facility managers, caretakers, administration, chefs, and maintenance staff. In addition, the residents themselves (seniors) may require support services, such as healthcare, social services, and additional care workers, which could create indirect employment opportunities.

Seniors residing in the development would contribute to the local economy by spending on local goods and services such as groceries, healthcare, transportation, and leisure activities. This spending would support local and regional businesses, including healthcare services, retail stores, transportation, and entertainment options. Additionally, the presence of a senior community may attract businesses targeting seniors' needs, further boosting local economic activity.

6.2 Design Quality

Due to similarity in the nature of matters associated with ‘design quality’ and ‘built form and urban design’, effort has been made to avoid the duplication of text between **Section 6.2** and **Section 6.3** of this EIS. These separate sections have been drafted for the purpose of addressing matters as they are referenced by items 3 and 4 of the SEARs.

Specifically, this section has been prepared in response to SEARs item no.3, being:

3. Design Quality

- Demonstrate how the development will achieve:
 - design excellence in accordance with any applicable EPI provisions.
 - good design in accordance with the seven objectives for good design in Better Placed.
- Where required by an EPI or concept approval, or where proposed, has been subject to a competitive design process, carried out in accordance with an endorsed brief and Design Excellence Strategy. Recommendations (from the jury or Design Integrity Panel) are to be addressed prior to lodgement.
- In all other instances, demonstrate that the development has been reviewed by the State Design Review Panel (SDRP). Recommendations are to be addressed prior to lodgement.

Arqus Design has led the design process in collaboration with TriCare, including consideration of best practice design processes and a response to the SDRP recommendations.

Architectural Plans for the proposed development are enclosed within **Appendix A**. These plans are supported by an **Architectural Design Report (Appendix E)**, which includes a Design Verification Statement prepared by Arqus Design.

A summary of the key outcomes of the design approach is provided in the following sub-sections.

6.2.1 Better Placed

Item 3 of the SEARs requires the Better Placed 'objectives for good design' to be addressed. The objectives of Better Placed are considered in **Table 6-1**.

Table 6-1 | Better Places Objectives for Good Design

Better Placed Objective	Proposed Development
1. Better Fit Contextual, local and of its place.	The design is informed by the existing Stage 1 development and surrounding coastal context, providing a logical extension that reflects the established scale and rhythm while introducing contemporary architectural expression. Key view corridors and generous building separation maintain privacy, preserve visual connections to Cudgera Creek and surrounding vegetation, and minimise overshadowing. The material palette is inspired by local colours and textures, coarse blockwork, muted green tones and timber-look elements, ensuring a visual and tactile connection to place. The development builds on the existing community identity while supporting future needs for high-quality, inclusive seniors housing.
2. Better Performance Sustainable, adaptable and durable	Sustainability is embedded in the development through passive environmental design measures including solar access to living areas and private open space, cross ventilation, and natural daylight to all habitable rooms. Water harvesting and solar energy infrastructure are integrated at site level, supporting reduced energy demand and environmental resilience. Durability and longevity are ensured through specification of robust, low-maintenance materials such as face blockwork, pre-finished metal cladding, and colorbond roofing. These minimise lifecycle costs and environmental impact while contributing to the site's coastal character. The ongoing environmental performance of the proposed development will be facilitated by a range of sustainable design interventions, as detailed throughout the Environmentally Sustainable Design Report by ADP Consulting Engineering. These sustainable design interventions are consistent with the 'Better Performance' objective.
3. Better for Community Inclusive, connected and diverse	The design supports an inclusive and diverse seniors living community by integrating a range of dwelling types and care models. All ILUs meet Gold Level of the Liveable Housing Guidelines, enabling universal access and aging in place.

Better Placed Objective	Proposed Development
	The RAC building further extends the offering, ensuring a continuum of care within the same community. Public and communal spaces throughout the development are designed for all-ability access, fostering equity and participation across all levels of mobility and care. This ensures the site supports a socially connected, resilient community that evolves with residents' changing needs.
4. Better for People Safe, comfortable and liveable	The development prioritises safety and comfort through the careful design of communal and private spaces in line with CPTED principles. Passive surveillance is enabled by apartment and gallery openings that overlook shared open spaces, enhancing perceived and actual safety for residents. Indoor and outdoor communal areas have been expanded to include additional recreational and social amenities that promote wellbeing and interaction. All apartments are designed with passive environmental design principles, including solar access, cross ventilation and natural light, to ensure thermal comfort year-round without reliance on mechanical systems. In addition to the existing amenities provided as part of the community, the proposed development will provide further facilities and community amenities for all residents to utilise. The apartments have all been designed with passive environmental design principles being integral to ensure spaces are comfortable throughout the year. This EIS is supported by an Access Report by Credwell that confirms compliance with the applicable statutory requirements in relation to accessibility (refer to Appendix AH). CPTED principles have also been addressed by the design, as detailed in Section 6.6 of this EIS.
5. Better Working Functional, efficient and fit for purpose	Working closely with TriCare, the master planning and architectural design outcome is responsive to the current requirements for ILU and RAC housing within a contemporary retirement community. This includes all apartments incorporating Liveable Housing Guideline's gold level for universal design and aging in place to ensure the apartments are tailored to suit their requirements not just once built but beyond into the future lifespan of the community. The architectural design outcome is informed by the evolving needs of senior living, ensuring an efficient, functional layout across all ILUs. Each apartment achieves Gold Level under the Liveable Housing Guidelines, supporting universal access, aging in place, and long-term adaptability. The configuration of communal spaces, building services, and vertical circulation reflects best-practice retirement living design, balancing operational efficiency with high levels of resident comfort and usability.
6. Better Value Creating and adding value	The design delivers long-term social and economic value by enabling residents to age in place through universal design. All ILUs

Better Placed Objective	Proposed Development
	meet Gold Level of the Liveable Housing Guidelines, extending the usability of each dwelling and reducing future retrofit costs. The addition of shared amenities, including a pool pavilion, bowling green, walking trails and indoor social spaces, enhances the overall residential experience and supports quality of life for all residents. Collectively, these features strengthen community cohesion, support resident wellbeing, and create a highly desirable and functional living environment with enduring value. Providing the opportunity for residences to stay for longer using aging in place design further increases the quality of the community creating a desired place to live. The proposal will provide 51 ILUs and a 47-bedroom RAC facility which represent a significant contribution to the availability and diversity of housing within the Hastings Point area and Tweed LGA. This assists to meet the housing needs of the ageing community. The development also allows for ageing in place, which aligns with the ability for residents to be in independent care, have increased care in the ILU as required and then when the time is right, transition to a higher care option on the same site.
7. Better Look and Feel Engaging, inviting and attractive	The design of the proposed development has been carefully considered to achieve a refined, articulated building envelope with varied and stepped forms, modulated skyline, application of fine grain elements (including screens and sun shade elements) and incorporation of semi open corridors and glazing to create buildings that aesthetically pleasing across the site. Using materials inspired by the local landscape it assists in grounding the buildings into the site and provide a soft and natural tone to the buildings creating a welcoming comfortable quality to the development. Additionally, this use of natural materials ties the building into the natural surroundings and through the orientation on the site promotes engagement between the users and the landscape within the site and that beyond in the borrowed landscape. The aesthetic qualities of the proposed development are further discussed throughout the Architectural Design Report (Appendix E).

6.2.2 NSW Coastal Design Guidelines

The proposal is in keeping with the NSW Coastal Design Guidelines 2023. This is confirmed when considering the project against the objectives of the Guidelines and the relevant checklist within Appendix 2 of the document:

- The development has been sited to protect and minimise the impact to Cudgera Creek.
- Surface and ground water resources can be managed to ensure no detrimental changes occur at the site and within the broader catchment.
- The proposal does support the changing demographics of the coastal area by providing additional and diverse housing and services through a development that is appropriate for its coastal context.
- Building design is resilient, sustainable and responsive to the coastal environment.
- Significant greenspaces are also provided and embellished by locally endemic species.
- The landscape design contributes to the coastal character, helps screen the development and assists mitigation to urban heat island and climate change effects.

6.2.3 State Design Review Panel

Item 3 of the SEARs establishes the requirement for this SSD to be reviewed by the SDRP. As discussed in **Section 5** of this EIS, a meeting was held with the SDRP to review the project during the design evolution on 8 June 2022. Minutes from the SDRP meeting are enclosed within **Appendix AN**.

As outlined in **Section 5** of this EIS, the design was assessed by the SDRP who were generally supportive of the overall concept, however raised some recommendations and provided advice for consideration in refining the site response. The architectural design team took into consideration the SDRP recommendations, and amendments to the design were pursued following the meeting.

Key amendments to the design included:

- A decrease in the number of ILUs and RAC beds allowing a reduction in the depth of buildings and achieving dual aspect for all ILUs;
- Repositioning of the buildings to achieve an east-west facing orientation to ensure all ILUs receive direct sunlight in mid-winter and provide greater separation to the existing buildings;
- Repositioning of the bowls green and swimming pool area to establish a central activity precinct and improve accessibility for existing residents;
- Removing the perimeter road to reduce hardstand, create a pedestrian-focused precinct and providing connectivity with the surrounding natural environment ;
- Establishing clear zones for active, passive and social uses, giving each outdoor setting a distinct identify; and
- Greater representation of Country in the material and colour palette.

A full response detailing how the recommendations of the SDRP have been addressed is provided by Arqus Design in the **Architectural Design Report** (refer to **Appendix E**).

6.3 Built Form and Urban Design

The built form and urban design of the proposed development has been considered by Arqus Design. **Architectural Plans** for the proposed development are enclosed within **Appendix A**. An **Architectural Design Report** which details the design principles and approach that has informed the response is also enclosed within **Appendix E**.

The **Architectural Design Report** includes a response to the SDRP recommendations. The architectural reports are supplemented by a **Survey Plan** prepared by Usher & Company within **Appendix B** as well as a **BCA Report** within **Appendix AG** and **Access Report** within **Appendix AH**, prepared by Credwell.

These reports have been prepared in response to SEARs items 3 and 4., being:

4. Built Form and Urban Design

- *Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach.*
- *Demonstrate how:*
 - *the development considers the design principles in Part 5, Division 6 of State Environmental Planning Policy (Housing) 2021 and the Seniors Housing Guidelines 2021.*
 - *the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality.*
 - *the building design will deliver a high-quality development, including consideration of façade design, articulation, activation, roof design, materials, finishes, colours, any signage and integration of services.*
- *Access how the development complies with the relevant accessibility requirement.*

A summary of the key outcomes of the assessment is provided in the following sub-sections.

6.3.1 Design Principles for Seniors Housing

Item 4 of the SEARs references the requirement for the design principles in Part 5, Division 6 of the Housing SEPP (now Schedule 8) and the Seniors Housing Design Guide 2023 to be addressed as part of this EIS.

Detailed consideration of the design principles for seniors housing set out in Schedule 8 and the design principles for residential apartment development in Schedule 9 of the Housing SEPP is provided in **Table 4-3** and **Table 4-4** within **Section 4** of this EIS. An assessment against the design objectives of the Seniors Housing Design Guide 2023 is provided in the **Architectural Design Report** prepared by Arqus Design (refer to **Appendix E**) and is summarised in **Table 6-2**.

Table 6-2 | Seniors Housing Design Guidelines 2023

Design Objective	Proposed Development
1. Designing for Country	As outlined in Section 6.18 of this EIS, Heritage Management and Planning Pty Ltd was engaged by the project team to provide guidance on Connecting with Country for the proposal and to support meaningful engagement with Aboriginal Knowledge Holders and local Aboriginal groups. The methodology, consultation outcomes, and proposed design measures are detailed in the Connecting With Country Design Report (refer to Appendix O).
2. Care for the Planet	An Environmentally Sustainable Design Report (Appendix Y) has been prepared for the proposed development, supported by a BASIX Report & Associated Certificates (Appendix X). These documents outline measures to reduce energy and water usage. In addition to meeting mandatory BASIX compliance, the proposal includes sustainability initiatives such as solar panel installation, the use of sustainable, low-carbon materials, stormwater collection for reuse, waste minimisation strategies, and native/endemic landscape design.
3. Site analysis - environmental response	This EIS is supported by technical documentation that addresses the environmental constraints of the site, including bushfire risk, wetland / aquatic and ecological considerations amongst other environmental characteristics. Site environmental considerations are addressed within the preceding sections of this EIS, when addressing items listed in the SEARs. Critically, the specialist reporting that forms part of this EIS has indicated that the proposal presents a site responsive development outcome, that provides high quality living and specialised care for seniors, in an environment that is safe, and without detrimentally impacting environmental resources and values.
4. Site analysis - urban response	The master planning and architectural design response for the proposed development takes into careful consideration the existing development on the site. It ensures appropriate separation distances between buildings, minimises potential overlooking and overshadowing, preserves desirable view corridors, and maintains a contemporary architectural character that complements the existing retirement community. The development is designed to enhance the current built form, providing additional accommodation options and community facilities for all residents.

Design Objective	Proposed Development
	The proposed built form is sensitive to the surrounding coastal landscape, with buildings designed to complement the existing structures on site. Setbacks are strategically applied, with the development positioned approximately 85m from the road frontage, ensuring minimal visibility from the public interface along Tweed Coast Road, as demonstrated in the Visual Impact Assessment (refer to Appendix AK). The buildings will be set approximately 15m from the southern boundary and 20m from the northern boundary, maintaining a harmonious relationship with neighbouring properties. The design incorporates 3-storey buildings, consistent with the existing built form on the site, and features roof forms that are complementary to the existing architecture. The proposed development provides generous communal open spaces, including a bowling green, walking tracks, and landscaped areas, enhancing the overall amenity of the community for all residents to enjoy.
5. Heritage	As summarised in Section 6.18 & 6.19 of this EIS, the heritage significance of the site and surrounding area has been assessed by Heritage Management and Planning Pty Ltd. The assessment included a desktop analysis, site visit, and consultation with registered Aboriginal parties, as detailed in the Aboriginal Cultural Heritage Assessment Report and Aboriginal Consultation Report (refer to Appendix N and P). The site is not identified as a place of known or predictive Aboriginal cultural heritage in the Tweed Shire Council Aboriginal Cultural Heritage Management Plan (2018). Further, there are no Aboriginal sites located in the vicinity of the Subject Site. The assessment concluded that the subject site is not a significant part of the Aboriginal cultural heritage landscape of the lower Tweed Valley and has limited scientific potential or cultural value.
6. Care, wellbeing and community	As outlined in the Architectural Design Report (refer to Appendix E), the proposal accommodates varying levels of care required in later stages of life, featuring ILUs supported by assisted living services, alongside a RAC. The ILUs are designed with flexibility in mind, allowing for gradual adaptation and retrofitting to meet the evolving needs of residents as they age, in line with TriCare's care delivery methodology. The RAC incorporates design strategies to address mobility limitations and cognitive decline, including sensory cues that assist residents in navigating the facility with greater confidence and a degree of independence.
7. Design for physical ageing and dementia	The proposed development has been designed with consideration for the needs of residents experiencing physical ageing and dementia. While a dedicated dementia unit is not included, the general principles of dementia-friendly design have been incorporated throughout the RAC facility. This includes thoughtful design elements that support a safe, accessible, and supportive environment for all residents. Outdoor spaces are integrated into the design to promote connection with nature, offering safe and engaging areas for residents to enjoy. The approach ensures that the facility provides

Design Objective	Proposed Development
	a vibrant, person-centred environment, maintaining the dignity and well-being of residents while fostering a sense of community.

6.3.2 Built Form

As outlined in the **Architectural Design Report** prepared by Arqus Design (refer to **Appendix E**), the proposed development is the outcome of an extensive planning process, involving detailed site and locality analysis, engagement with state and local design guidance, and consideration of feedback from key stakeholders including the Government Architect NSW. The design has evolved to sensitively respond to the unique context of the Hastings Point site, guided by the principles of good urban design, neighbourhood integration, and resident amenity.

The proposed built form acknowledges the site's coastal location, natural assets, and the character of surrounding development, while aligning with the strategic planning objectives to deliver more diverse and appropriate housing options for seniors. While the proposal sits comfortably within the planning envelope, the design reflects a considered reduction in scale and intensity in certain areas to preserve amenity and landscape character.

Key built form elements have been shaped by:

- A strong landscape and site-responsive approach, including retention and reinforcement of green corridors, integration of deep soil zones, and preservation of view corridors to the coast and surrounding vegetation;
- The use of setbacks, building separation, and articulation to minimise visual bulk and enhance privacy, solar access and cross ventilation; and
- Architectural expression that draws from coastal and subtropical design cues, including lightweight materials, screened balconies, and layered facades that promote shadowing and depth.

The layout and orientation of buildings maximise natural sunlight and prevailing breezes, with apartment layouts supporting passive design principles and cross-ventilation.

A defining feature of the proposal is the integration of the residential, community and open landscape precincts via legible pedestrian circulation and landscaping that connects residential buildings with shared amenity areas. This spatial arrangement supports both social interaction and a strong connection to nature, critical elements for successful seniors living environments.

Importantly, the built form is underpinned by design excellence principles embedded within the ADG, Seniors Housing Design Guideline, and Better Placed, demonstrating best practice outcomes in liveability, sustainability, and context-responsive design. The result is a development that reinforces the local identity of Hastings Point, responds sensitively to its ecological setting, and delivers a respectful and place-based intensification to support the growing needs of the community.

6.3.3 Building Code of Australia / National Construction Code

A **BCA Report** has been prepared by Credwell and is enclosed at **Appendix AG**. The **BCA Report** provides a provisional assessment of the proposed development against the relevant provisions of the BCA and NCC. The report concluded that the proposed development complies or can comply with the BCA and NCC. It explicitly notes that compliance can be confirmed at Construction certificate stage without requiring amendment to any possible development consent.

6.3.4 Accessibility Assessment

Accessibility has been considered in detail in the **Access Report** prepared by Credwell (refer to **Appendix AH**). The report has provided an assessment against the following standards:

- NCC;
- ADG;
- Liveable Housing Design Guidelines; and

- Australian Standards called up in the NCC.

The report confirms the fundamental aims and requirements relating to accessibility legislation are achieved within the proposed development with some BCA deemed to comply provisions to be resolved at the design development stage with more detail shown on construction certificate documentation.

6.3.5 Mitigation Measures

The design will be subject to a Construction Certificate to ensure all aspects of the design will comply with NCC / BCA requirements including any performance-based determinations.

That said, the **Access Report** and **BCA Report** explicitly note that compliance can be confirmed at Construction certificate stage without requiring amendment to any possible development consent.

6.4 Environmental Amenity

This section provides a detailed assessment of the proposed development in accordance with the requirements of item No. 5 of the SEAR No. 5, being:

5. Environmental Amenity

- *Address how good internal and external environmental amenity is achieved, including access to natural daylight and ventilation, pedestrian movement throughout the site, access to landscape and outdoor spaces.*
- *Assess amenity impacts on the surrounding locality, including lighting impacts, reflectivity, solar access, visual privacy, visual amenity, view loss and view sharing, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.*
- *Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development (if relevant).*
- *For any applicable parts of the development, provide an assessment against SEPP 65 and the Apartment Design Guideline.*

Due to this SEARs item and item 6 of the SEARs requiring visual impact analysis (view loss and sharing), effort has been made to avoid duplication of text between this section and **Section 6.5** of this EIS.

6.4.1 Pedestrian Wind Environment

A **Pedestrian Wind Environment Statement** of the proposed development has been prepared by Windtech Consultants and is provided at **Appendix W**. The **Pedestrian Wind Environment Statement** provides a preliminary assessment of the proposed development on the local wind environment at the critical outdoor areas within and around the site.

6.4.1.1 Methodology

The **Pedestrian Wind Environment Statement** was undertaken to evaluate the pedestrian wind environment surrounding the proposed development. This assessment is informed by historical wind data collected by the Bureau of Meteorology at Coolangatta Airport, spanning from 1994 to 2022, measured at a height of 10m above ground level.

The analysis considered both annual and seasonal variations in wind direction and frequency. The predominant winds are from the south to south-south-west and north. The assessment of wind impact on the proposed development was structured around these prevailing directions.

To evaluate pedestrian wind comfort and safety, Windtech applied the Lawson Criteria (1990), which categorise wind conditions according to expected pedestrian activities—ranging from sitting and standing to walking and business walking. These categories allow for assessment of comfort levels as well as identification of any safety concerns due to distressing wind speeds.

6.4.1.2 Assessment

According to the Windtech Consultants' report, the wind conditions in and around the proposed development are expected to remain largely consistent with existing conditions as a result of the development. The overall built form, including building orientation and placement, minimises major impacts on wind flow.

From a pedestrian comfort standpoint, most areas within and surrounding the development are anticipated to meet acceptable Lawson criteria for the intended use of the spaces. These include conditions suitable for pedestrian standing or walking, which are appropriate for accessways, courtyards, and transitional outdoor areas.

Private balconies and terraces have generally been designed to be inset or partially screened by architectural elements, reducing exposure to direct wind and mitigating any discomfort caused by corner acceleration effects. These design considerations are expected to maintain wind conditions within acceptable comfort levels.

The proposed central communal open space, particularly between the major building forms, is relatively open and may be subject to some channelled or accelerated wind effects, particularly during strong north or south wind events. However, the landscape strategy—incorporating trees, shrubs, and other vertical elements—is considered effective in disrupting wind flow and reducing gust impacts in these areas. The resulting conditions are expected to be suitable for pedestrian standing or short-term stationary use.

Primary building entrances are recessed or shielded by surrounding built form and landscaping, enhancing their protection from prevailing winds. These areas are assessed as suitable for more sensitive uses such as sitting and standing, consistent with entrance and gathering functions.

No locations within the development are expected to experience wind conditions exceeding safety thresholds under the Lawson distress criteria. However, localised wind mitigation measures—such as additional landscaping or vertical screening—may be considered in areas designated for long-term outdoor dining or congregation, to further enhance comfort.

6.4.2 Overshadowing

The **Architectural Plans (Appendix A)** and **Architectural Design Report (Appendix E)** provide sun diagrams that convey the existing shadowing and proposed extent of additional shadowing that will be cast from the proposed development between 9:00 AM and 5:00 PM on 21st June being the winter solstice.

The sun diagrams indicate that no overshadowing will occur both internally and external to the site until after 3pm in winter solstice. The proposed buildings will cast a shadow onto the existing building on site from 4pm onwards. The cumulative impacts of shadowing caused by the development is largely consistent with the existing shadowing caused by the existing buildings on site.

Apart from the minor internal shadowing internally (after 3pm), the only external site impacted is the adjacent Service Station after 4pm which is already impacted by the existing building on site.

6.4.3 Solar Amenity

Building envelopes are separated to maximise natural cross-ventilation and to frame informal social landscape spaces between buildings.

Sufficient internal solar and daylight access to private living spaces is necessary to reduce reliance on artificial lighting and heating. This is essential to the delivery of energy efficiency design outcomes that offer amenable living conditions to residential occupants.

The **Architectural Plans** by Arqus Design include a Sun Path Study, solar control strategies and sun studies.

Apartments and aged care suites are predominantly oriented to the north and northwest to optimise solar access, ensuring direct sunlight during midwinter. All ILUs within the development achieve a minimum of three hours of direct sunlight between 9am and 3pm on the winter solstice, consistent with best-practice benchmarks, as per the sun study plans included within the **Architectural Plans**.

Further reference should be made to the Design Verification Statement that is provided with the **Architectural Design Report (Appendix E)**.

6.4.4 Visual Amenity & Privacy

A **Visual Impact Assessment** of the public domain has been prepared by Envisage and this assessment is summarised in **Section 6.5** of this EIS.

Given the natural features of the site, the height of vegetation within the reserves that adjoin the land, the height of the proposed development and the location of the proposed development at the rear of the site, the proposed development will not impact the private domain viewsheds of adjacent and surrounding properties and dwellings. This is discussed in more detail below under **Section 6.5** of this EIS.

Internally to the site it is acknowledged that some dwellings within the existing Stage 1 that are orientated to the west will be impacted in terms of views towards Cudgera Creek. The impact to visual amenity is therefore considered to be contained to dwellings within the existing site.

In terms of visual amenity impacts to existing residents within Stage 1, these homes were losing views under the already approved Stage 2 of the development. That said, the design being pursued under this SSD Application has provided more conscious effort to maintaining views through the site as well as offering an improved view experience over the activated and landscaped central communal spaces. As previously detailed within this EIS the proposed built form provides greater separation between buildings and is considered a significantly improved outcome in terms of reduced view loss, natural ventilation and solar access.

6.4.5 Natural Ventilation

Natural ventilation is a simple and effective way to cool and ventilate buildings, offering several benefits in energy efficiency, cost savings, indoor air quality, comfort, sustainability, and durability.

The **Architectural Plans** by Arqus Design (**Appendix A**) include cross ventilation diagrams that have been prepared to demonstrate that the proposal satisfies the ADG requirements, with all ILUs achieving cross ventilation.

Further reference should be made to the Design Verification Statement that is provided with the **Architectural Design Report (Appendix E)**.

6.4.6 Other Amenity Issues

Pedestrian Movement Through the Site

The design of the development facilitates clear and legible pedestrian movement throughout the site. Pathways are accessible, well-connected, and designed to accommodate a range of mobility needs, including those of seniors and individuals with limited mobility.

Key pedestrian links connect internal residential buildings with communal open spaces, landscaped areas, and service zones. The circulation strategy promotes walkability, safety, and social interaction, aligning with age-friendly design principles.

Access to Landscape and Outdoor Areas

The development integrates a diverse range of landscaped and outdoor communal spaces designed to support the health, well-being, and social needs of future residents. These include central communal open spaces, pocket gardens, and transition zones between buildings. Landscaped areas are accessible via multiple pedestrian routes and include shaded seating, walking paths, and gathering spaces suitable for both active and passive recreation. These outdoor areas are critical in promoting environmental amenity, social cohesion, and connection with nature for senior residents.

Lighting Impacts

External lighting will be designed to ensure adequate illumination for safety and usability of pedestrian routes, entries, and communal spaces during low-light conditions, while minimising potential adverse effects on surrounding properties and the natural environment. All lighting will be directed downward and designed to avoid glare or spill into adjacent sensitive land uses. The lighting

design will comply with relevant standards for obtrusive light, contributing to the preservation of residential amenity and nocturnal habitat protection.

Impacts on Amenity to Surrounding Uses

The proposed development has been designed to mitigate amenity impacts on surrounding land uses. Building heights, setbacks, and massing have been carefully considered to reduce overlooking, overshadowing, and view loss. The surrounding context includes non-residential uses such as a service station, and natural vegetated buffers that reduce direct interface with existing dwellings.

Furthermore, wind, solar access, and visual assessments confirm that any impacts are either consistent with existing conditions or significantly improved compared to earlier approved development stages. The design delivers a built form that is sensitive to the existing and approved surrounding development context.

6.4.7 Mitigation Measures

Based on the relevant assessments and findings, no mitigation measures are recommended as necessary.

6.5 Visual Impact

This section of the EIS provides a detailed summary of the **Visual Impact Assessment** prepared by Envisage (refer to **Appendix AK**). The VIA has been prepared in accordance with the requirements of item no. 6 of the SEARs, being:

6. Visual Impact

- *Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.*
- *Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment.*

A summary of the key outcomes of the VIA are provided in the following sub-sections.

6.5.1 Methodology

The purpose of **Visual Impact Assessment** is to consider whether a proposal has a significant, unacceptable visual impact on the existing or desired future visual environment.

The methodology applied by this **Visual Impact Assessment** is generally in accordance with the guidelines:

- 'Guideline for Landscape Character and Visual Impact Assessment – Environmental Impact Assessment Guidance Note EIA-NOA.
- 'Guidance Note for Landscape and Visual Assessment': Australian Institute of Landscape Architects
- 'Guidelines for Landscape and Visual Impact Assessment; the UKs Landscape Institute and Institute of Environmental Management and Assessment

The aims of the **Visual Impact Assessment** report are summarised as follows:

- Identify the likely visual effects of the proposal (from outside viewpoints) and estimate the magnitude of the effects,
- Assess the nature and significance of these effects
- If necessary, consider measure to avoid, reduce or compensate those effects.

The theoretical viewshed used in the VIA report is detailed within **Figure 6-1** below and is based on a 2km radius and modelled height of 12m.

The methodology of the **Visual Impact Assessment** took the following 4 steps:

- Phase A – Identify the landscape and visual context

- Phase B – Identify the potential landscape character impacts
- Phase C- Assessment of visual impact to viewpoints by confirming the main viewpoints and viewpoint sensitivity and determine the anticipated magnitude of visual change
- Phase D – Consider mitigation measures

6.5.2 Landscape Character Impact

Under the Tweed Scenic Landscape Protection Policy, a very small part of the site is covered by the 'Coastal Forest Landscape', with most of the site included within the 'Urban Landscape' (refer to **Figure 6-2**).

There would be a change to the landscape character of the site and surrounds due to the replacement of cleared land for the new three storey buildings. Despite this change, the **Visual Impact Assessment** concludes that the proposal would result in a final landscape character that is consistent with the existing character and planned future land use change due to the following:

- The buildings are comparable to the height of the existing buildings on site.
- The buildings are located on the far side of the existing building on site, away from views public views and Tweed Coast Road.
- The proposal would not be seen against surrounding residential areas, with visual separation from the nearest residential area to the north.
- Effectively no vegetation would be removed, and substantial new plantings would be established so create a generous landscape setting and rehabilitate Cudgera Creek line vegetation.
- The proposed buildings are of a similar height, bulk and scale to the existing development on site.

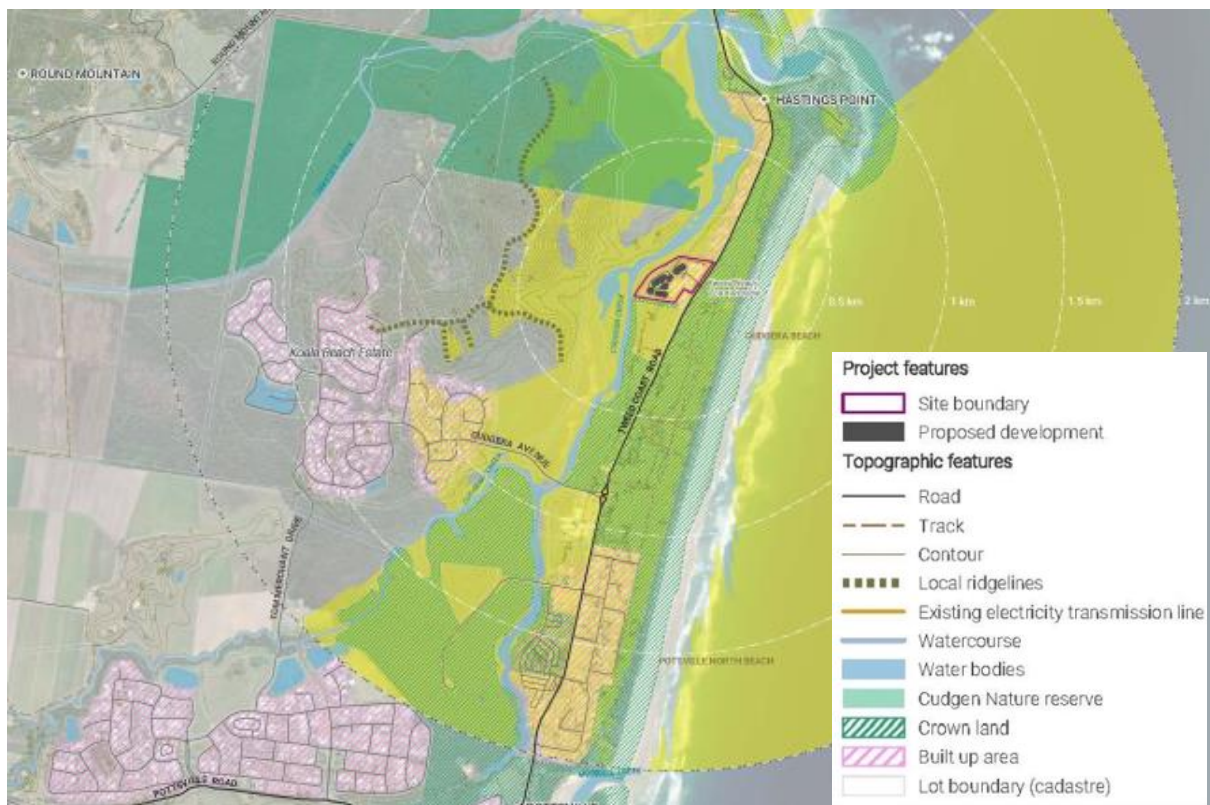


Figure 6-1 | Theoretical Viewshed (Source: Envisage)



Figure 6-2 | Scenic Landscapes (Source: Envisage)

6.5.3 Visual Impact Assessment

A total of 7 viewpoints were selected as representative of the main potential views to the proposal, with these viewpoints shown in **Figure 6-3** below. The viewpoints were selected based on the most likely location from where views may be possible.



Figure 6-3 | Assessed Viewpoint (Source: Envisage)

A detailed analysis of the potential visual impacts for each viewpoint is provided in Tables 6-2 to 6.8 in the **Visual Impact Assessment**. In summary, the **Visual Impact Assessment** indicates there would be no visual impact to surrounding views due to the proposal. The proposal is of a similar height to the existing buildings on site and the proposal is well setback from Tweed Coast Road. There will be no change to the current view from the southern entry to Hastings Point or from Cudgera Creek Bridge, the 2 main potential viewpoints.

The proposed buildings are similar in height, bulk and scale to the existing buildings on site which is not considered to be overly visually dominant within the current setting of Hastings Point. In addition, the existing vegetation along Tweed Coast Road has been assessed through survey accuracy to block any views of the proposed development from Tweed Coast Road (refer to **Figure 6-4** & **Figure 6-5** below).

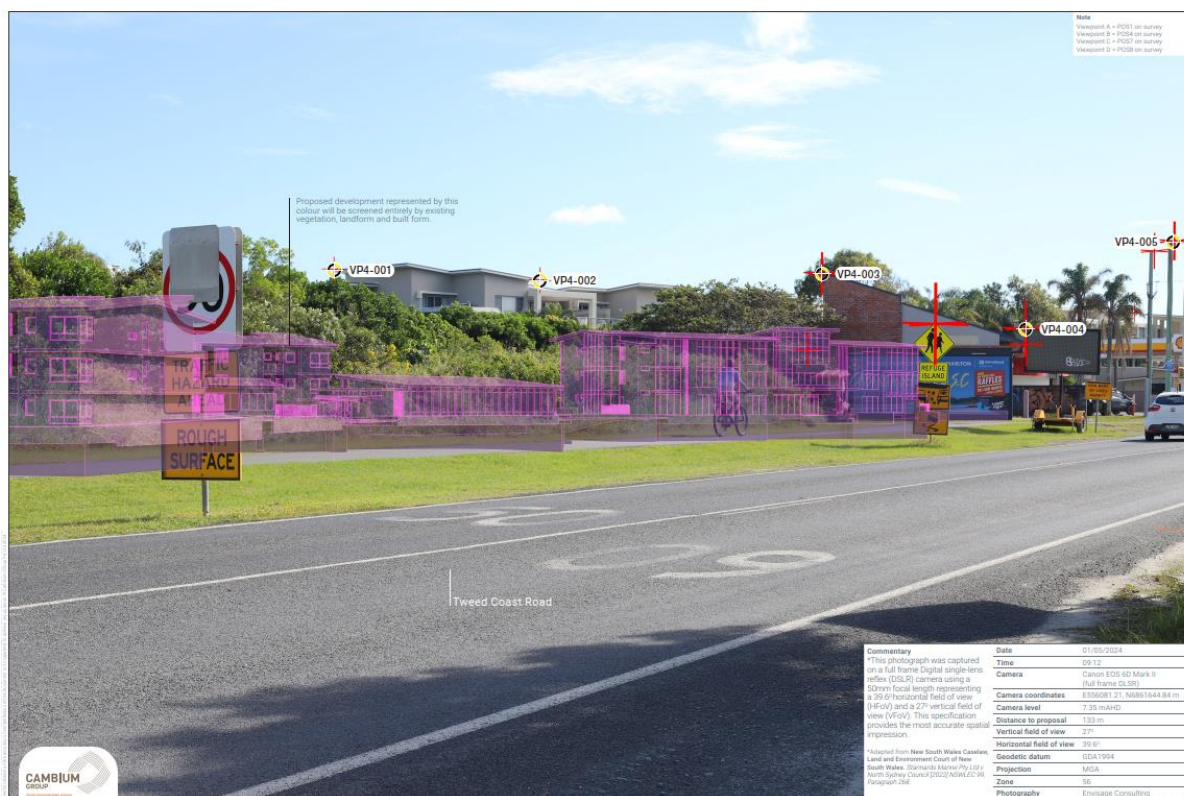


Figure 6-4 | Concealed Views Facing North (Source: Envisage)



Figure 6-5 | Concealed Views Facing South (Source: Envisage)

In terms of view loss, the most valued views within the surrounding area are towards the coast and coastal headlands. The location of the proposed development has been tested by survey and confirmed to not result in any loss of views towards the coast internally and external to the site from both public and private viewpoints. Some view loss to the hinterland from the existing Stage 1 development within the site occurs, though this is an existing approved outcome for the site and the loss of view is less under the proposal than currently approved.

6.5.4 Mitigation Measures

Based on the assessment and findings of the **Visual Impact Assessment**, no mitigation measures are recommended as necessary.

6.6 Public Space

A Crime Prevention Through Environmental Design (CPTED) assessment is provided below to address item No. 7 of the SEARs, being:

7. Public Space

- *Demonstrate how the development maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department.*
- *Demonstrate how the development:*
 - *ensures that public space is welcoming, attractive and accessible for all.*
 - *maximises permeability and connectivity.*
 - *maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection.*
 - *maximises street activation.*
 - *minimises potential vehicle, bicycle and pedestrian conflicts.*

- *Address how Crime Prevention through Environmental Design (CPTED) principles are to be integrated into the development, in accordance with Crime Prevention and the Assessment of Development Applications Guidelines*

No public open space is proposed as part of the development and hence advice from Council was not sought with respect to public space/public domain areas.

Notwithstanding, this CPTED review focus on the development itself, including communal open space areas and common areas, building design and orientation, and the site accessway. As per the guidelines for Crime prevention and the assessment of development applications, the 4 principles of surveillance, access control, territorial reinforcement and space management have been addressed.

6.6.1 Surveillance

It is well established that places and developments that incorporate causal, mechanical and organised surveillance are less likely to attract criminal behaviour and increase the feeling of being safe within public and communal areas.

The proposal's design features and inclusions have been assessed against the principles relating to surveillance as follows:

- The new built form and increased activity on site will allow for more opportunities of passive and organised surveillance.
- The increased activity accessing the site and proposed development, will also increase the existing public surveillance of the surrounding public spaces.
- The individual units and buildings have been designed to provide passive surveillance of the communal open space and common areas throughout the site, with the inclusions of private balconies overlooking the communal areas and the internal roadway.
- The passive communal open space areas have been designed with rounded edges and limited blind corners and spaces.
- The active communal open space areas have been designed to include both indoor and outdoor spaces to maximise passive and organised surveillance of these areas.
- The inclusion of seating, activity areas and community gardens throughout the communal open space, encourage active participation within the communal open space and increases opportunities for passive surveillance within the development.
- The internal driveway and basement car park provide good sight lines with limited visual obstructions to minimise blind spots and opportunities for concealment.
- The pedestrian and vehicle entrances to the site are clearly visible and easily identified from the street, enhancing passive surveillance and encouraging wayfinding for future residents, staff and visitors.

6.6.2 Access control

Access control measures involve the designing of spaces to control the movement of persons, to prevent unauthorised access and therefore reduce the opportunities for crime.

The proposal's design features and inclusions have been assessed against the principles relating to access control as follows:

- Each building within the development will have controlled front entrances points to control access into private areas.
- Whilst visitor car parking has been provided at ground level, all resident and employee spaces are proposed within secure off-street car parking at basement level to reduce potential vehicle theft.
- Direct access to all basement car parking is from inside the buildings, providing safe access for residents and staff.
- Whilst pedestrian entrances to the site are located adjacent to both vehicle entrances, they have been separated and clearly defined in addition to internally within the site to reduce the risk of conflict between pedestrians and vehicles. Vehicular and pedestrian circulation plans have been completed within the

Architectural Plans and **Landscape Plans**, to clearly define the separation of vehicle and pedestrian movements within the site.

- Precluding public access to the site from the Cudgera Creek frontage, forcing all guests to enter through the controlled site access off Tweed Coast Road.

6.6.3 Territorial Reinforcement

Community ownership of a space encourages the use and enjoyment of the space and therefore the potential to witness and prevent potential criminal activity. When people and communities have a sense of ownership and pride in a space, they are more likely to prevent and intervene in criminal behaviour.

The proposal's design features and inclusions specifically relating to the communal open space areas have been assessed against the principles relating to territorial reinforcement as follows:

- The site is entirely a private development with no public areas on site.
- The design of the communal open space areas is such that the residents will feel a sense of ownership. Whilst the communal open space is for residents and visitors only, it will create a community environment creating a sense of ownership to the residents and encourage gathering within the numerous communal open space areas.
- The incorporation of attractive landscaping, various areas of interest and embellishments will encourage residents and visitors to use the communal open space areas. This will encourage the passive surveillance of the communal open space areas of the site.

As detailed within the **Landscape Plans**, multiple aspects of Connecting with Country have been incorporated into the landscaping and communal open space to maximise connections, cultural understanding and appreciation

6.6.4 Space Management

Attractive, well maintained and well used spaces ensures that the space is appropriately utilised and cared for, which decreases the potential and perceived risk of crime and vandalization.

The proposal's design features and inclusions specifically relating to the communal open space areas have been assessed against the principles relating to space management as follows:

- Ensuring the creek frontage remains private land, within the ownership and control of the landowner.
- High quality landscaping and increased activity within the communal areas will reduce the perception of crime.
- Maintenance / management plan to ensure compliance with measure to reduce the potential for criminal activity on site.

6.6.5 Mitigation Measures

The following mitigation measures are proposed to integrate crime prevention principles into the subject site:

- Consider security at entrance points and internally within the site, during the evening period.
- Consider 24 hours CCTV cameras at entrance points to the site and to each building to provide formal surveillance.
- Consider access control measures such as swipe cards, pin code and intercom to control entry into the site, buildings and communal open space areas.
- Consider similar control measures for back of house and restricted areas within the site.
- Provide clear universal signage at entrance points to the site and buildings to advise who is permitted to access the site and building distinguishing communal and private areas and restricted areas.

- Install adequate lighting to all entry and egress points the basement, garden walk, communal open space areas and pedestrian walkways throughout the site.
- Include clear and appropriate wayfinding signage throughout the development.
- Maximise Connecting with Country elements into the landscape and communal open space areas to create a sense of place for residents and visitors.
- Ensure landscaping is well maintained and vegetation is managed to retain sight lines and minimise opportunities for concealment and entrapment.
- Implement a Plan of Management for communal open space and common areas such as the basement to include strategies and policies around cleaning, security, maintenance and repairs.

As detailed above, the design items incorporated into the proposed development, in addition to the mitigation measures, will ensure the proposal achieves an acceptable design outcome from a CPTED perspective.

6.7 Trees and Landscaping

To address item No. 8 of the SEARs, **Landscape Plans** have been prepared by Arcadia (refer to **Appendix AA**) and an **Arborists Report** has been prepared by TPZ Project Arborists (refer to **Appendix V**) for the proposed development. Specifically, item no.8 of the SEARs requires:

8. Trees and Landscaping

- *Assess the number, location, condition and significance of trees to be removed and retained and note any existing canopy coverage to be retained on-site.*
- *Provide a detailed site-wide landscape plan, that:*
 - *details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage (as a percentage of the site area).*
 - *provides evidence that opportunities to retain significant trees have been explored and/or informs the plan.*
 - *demonstrates how the proposed development would:*
 - *contribute to long term landscape setting in respect of the site and streetscape.*
 - *mitigate the urban heat island effect and ensure appropriate comfort levels on-site.*
 - *contribute to the objective of increased urban tree canopy cover.*
 - *maximise opportunities for green infrastructure, consistent with Greener Places and having regard to any bush fire risk.*

A summary of the key outcomes of the assessment is provided in the following sub-sections.

6.7.1 Tree Removal and Protection

The **Arborists Report** prepared by TPZ Project Arborists (refer to **Appendix V**) was based on a visual inspection carried out on 4 September 2024. There were 40 individual trees and 2 groups of trees considered under this assessment.

The majority of assessed trees are within the north-west of the site. These trees were assessed as either being planted, as part of the Restoration Management Plan approved under DA06/0413, or regrowth vegetation associated with this restoration strategy. It is discussed in the separate BDAR that the restoration planting has actually extended beyond the approved restoration area (refer to **Appendix T**).

To establish the required APZs and fire trails for the proposal, 17 trees have been identified for removal. This amount of clearing has been confirmed as critical for the safety of the approved development footprint as well as the proposed development. A number of 'Bumpy Ash' trees have been selected due their flammability along with introduced species, dead and structurally poor trees. While tree removal within an area of ongoing restoration may appear contradictory to the approved Restoration Management Plan and former DA06/0413, the BDAR indicates that the loss of these trees does not

undermine the former restoration measures and approval, and that the loss of trees can be offset through new plantings undertaken onsite under a new / revised **Restoration Management Plan (Appendix S)** as well as other mitigation measures to ensure there is no loss in ecological benefits at the site.

The following recommendations are proposed for the development process to ensure compliance with AS4970 – 2009 Protection of Trees on Development Sites:

- Avoid root damage and management – No heavy machinery within the TPZ of retained trees, chainsaw tree removal, manual or light weight wood chipper for debris removal, no stump grinding, TPZ fenced off and signed 'TPZ no access' until works are completed.
- Avoid potential canopy damage and management – Same as above but with the project arborist to supervise tree works including removal and pruning.
- Tree protection – Engage project arborist, installation of TPZ fencing, pre-start meeting, project arborist to monitor any works within the TPZ and pruning to implement the proposed APZ.

To implement the recommendations of the **Arborists Report** and protect retained trees from impacts as detailed above, a project arborist shall be engaged during the development of the project within the following stages:

- Stage 1 Tree Removal – A prestart meeting with all tree removal contractors and TPZs will be delineated and clearly signed. Tree to be removed by chainsaw, if trees are intertwined a qualified climbing arborist will be engaged to dismantle the tree approved for removal without damaging the tree to be retained. Stumps within the TPZ of a retained tree cannot be ground out and can only be cut to ground level by chainsaw. The pruning of tree where required to be undertaken in accordance with AS4373 – Pruning of Amenity Trees.
- Stage 2 Construction – Trees to be protected by temporary fencing and signed 'TPA – No Access' with consultation and supervision of the project arborist. No further encroachment into the TPZ unless approved by the project arborist. Additional protective measures and protection from temporary access can be utilised. Any minor pruning or tie-back of branches will be discussed with the project arborist. Soft landscaping to observe the TPZ restriction with hand planting tube stock if required.

6.7.2 Landscaping

The proposal focuses heavily on landscaped activation at the ground plane with inspiration from the geomorphological processes of Cudgera Creek which shapes the site.

The design principles behind the landscape design relate to active community, inclusive social opportunities and contextual connection. The proposed landscaping has been designed to be functional with safety and security for residents, with clear sight lines throughout the development and the retention of key vistas to Cudgera Creek.

The proposed landscaping focuses on rehabilitation of the existing Cudgera Creek corridor with numerous indigenous species within the planting palette to improve biodiversity and habitat.

The key attributes of the landscape design are detailed in the **Landscape Plans** prepared by Arcadia (refer to **Appendix AA**) and are summarised below:

- **Pedestrian Access:** Multi pedestrian access points throughout the site, separate to vehicle access.
- **Communal Open Space:**
 - Extensive areas of both passive and active, indoor and outdoor communal open space are proposed throughout the development.
 - The external passive communal open space includes an Ephemeral creek walk adjacent to ecological conservation, communal green spaces with subtropical coastal planting and trees.
 - The active outdoor recreational pool pavilion and bowls green have been designed to bring a sense of country and mimic features and landscape of the adjacent Cudgera Creek.
 - Internal communal open space areas consist of the bowls pavilion, indoor pool pavilion and resident café on the ground floor of Building D.

- **Screen Planting:** Subtropical coastal planting and trees have been proposed for visual softening, shade and privacy.
- **Endemic Plantings:** A minimum of 80% of the planting selection will be indigenous species.
- **Responding to Country:**
 - Responding to Country has been incorporated within the architectural and landscape design in several ways based on comments and advice provided by local Aboriginal representatives.
 - A walking trail is proposed along the restoration area which aligns Cudgera Creek.
 - The colours of the country (sandstone, beaches and creek bed) have informed the material and colours within the design of landscaping.
 - Rehabilitation of the vegetation along Cudgera Creek.
- **Deep Planting:**
 - The deep soil zones of the proposed development including the conservation ecological corridor has an area of 12,329.862m² (32.5%) as per the Landscape Areas Plan by Arqus Design (refer to **Appendix A**).
- **Tree Canopy:** Tree canopy areas of the development have an approximate area of 4,508.1m².
- **Shrub Zones:** Shrub zone areas of the development have an approximate area of 2,538m² excluding communal area gardens. The shrub zones including communal areas is 2,892.6m².
- **Open Lawns:** The lawn zones within landscape areas have an area of approximately 2,472.8m² and bowls lawn zone and artificial lawn has an area of approximately 836m².
- **Podium Planting:** Podium plantings are proposed above ground for additional landscaping above ground level.
- **Overall Landscape Form:** The proposed landscaping is considered to provide a significant amount of environmental corridor, landscaping to balance the proposed built form.

In addition to the above, the proposed landscaping strategy contributes meaningfully to the long-term landscape setting and environmental performance of the site. The integration of endemic planting, deep soil zones, and a diverse range of tree species contributes to a maturing, resilient vegetative setting that enhances the site's ecological character and softens the built form over time. These landscape interventions support a coherent visual identity that is responsive to the surrounding coastal and riparian environment, reinforcing a sense of place and continuity with Cudgera Creek.

The landscape design has also been formulated to mitigate the urban heat island effect, through extensive tree canopy coverage, shrub and lawn zones, and use of light-coloured paving and natural materials that reduce heat absorption. These measures improve thermal comfort levels on-site, particularly for outdoor communal areas used by senior residents.

Furthermore, the development supports the objective of increasing urban tree canopy cover, both in terms of quantitative provision and long-term viability. With 32.5% of the site allocated to deep soil zones and over 80% of species selected being indigenous, the proposal enhances biodiversity and provides future shade, habitat, and microclimate regulation.

Bushfire resilience has also been embedded into the design, with the strategic placement of low-flammability species, appropriate APZ clearances, and arboricultural input to ensure a balance between ecological enhancement and life safety.

6.8 Ecological Sustainable Development

An **Environmentally Sustainable Design Report** has been prepared by ADP Consulting Engineering for the proposed development and is enclosed within **Appendix Y**, to address item no. 9 of the SEARs, being:

9. Ecological Sustainable Development (ESD)

- *Identify how ESD principles (as defined in section 193 of the EP&A Regulation) are incorporated in the design and ongoing operation of the development.*
- *Demonstrate how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards.*

- *Demonstrate how the development minimises greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources.*

A summary of the key outcomes of the **Environmentally Sustainable Design Report** is provided in the following sub-sections.

6.8.1 Methodology

The aim of **Environmentally Sustainable Design Report** prepared by was to:

- Identify how ESD principles are incorporated in the design and ongoing operation of the development;
- Demonstrate how the development will achieve or exceed the industry recognised building sustainability and environmental performance standards; and
- Demonstrate how the development minimises greenhouses gas emissions and consumption of energy, water and material resources reflecting the Government's goal of net zero emissions by 2050.

The following Planning Policies and Guides have been referenced as part of the ESD approach for the proposal:

- Planning Secretary's Environmental Assessment Requirements (SEARs);
- NCC / BCA
- Tweed DCP 2008
- Tweed LEP 2014;
- Tweed Shire Council - Climate Change Management Policy;
- Tweed Shire Council – Towards Zero Carbon Policy; and
- State Environmental Planning Policy (Sustainable Buildings) 2022.

The following areas of sustainability were explored during the preparation of the **Environmentally Sustainable Design Report** for the proposed development:

- NCC;
- BASIX;
- Energy & Greenhouse Gas Emissions;
- Net Zero Carbon Emissions;
- Water Efficiency and Conservation;
- Waste Management Practices;
- Materials
- Sustainable transport
- Biodiversity in design;
- Sustainable Management Practices; and
- Climate change resilience

It is noted that BASIX assigns maximum heating and cooling loads to a dwelling according to the climate region. Each region has a set of weather data representative of the climate at that location. The subject site is located within climate Zone 2 (warm humid summer, mild winter) as identified by the Australian Building Codes Board (ABCB).

6.8.2 Assessment

6.8.2.1 ESD Principles

The proposal has been designed considering the principles of ESD, as summarised below.

6.8.2.2 Precautionary Principle

To mitigate irreversible damage to the environment and to assess the consequence of various options, the proposal has included:

- Assessment of ecological values to determine if any endangered and /or threatened species are present, and ensuring existing restoration commitments are not lost or undermined;
- Detailed surface and groundwater modelling to ensure no indirect impacts to groundwater dependent ecosystems and surrounding environments;
- Detailed bushfire analysis and attention to flood planning provisions to ensure human safety is appropriately considered
- Adopting and implementing formalised management systems and plans during the demolition and construction phases of the project.

6.8.2.3 Inter-Generational Equity

For inter-generational equity, the consumption of energy and water, as well as the output of embodied carbon and waste, should all be reduced to uphold the health, diversity, and productivity of the environment for the benefit of future generations.

The proposal includes the following initiatives to reflect these principles;

- Establishment of a Connecting with Country framework
- Compliance with State regulated building codes such as NCC, Liveable Housing Guidelines and BASIX
- Consideration of climate change adaption to assess future flood hazards and risks.
- Installation of solar photovoltaics to maximise potential for onsite renewable energy generation;
- Provision of onsite electric vehicles and electric vehicle charging spaces; and
- Selecting plant species based on low water consumption and drought tolerance.

6.8.2.4 Conservation of Biological Diversity and Ecological Integrity

To conserve the native biological diversity of the surrounding environment, the following ESD principles have been included:

- Implementing a new / revised **Restoration Management Plan (Appendix S)** and committing to other mitigation and offset strategies, to ensure beneficial ecological outcomes
- Implementation of water sensitive urban design principles in management of stormwater to protect and enhance natural watercourses and their associated ecosystems and ecological processes;
- A landscaping focus will be placed on endemic and indigenous species followed by native species to enhance biodiversity within the local microclimate as well as being water conscious and resilient to climatic fluctuations.

6.8.2.5 Improved Valuation, Pricing and Incentive Mechanisms

To improve the projects valuation of environmental assets, the following ESD principles have been applied:

- Adopting a **Waste Management Plan** to ensure that waste generated is managed responsibly by relevant parties; and
- Minimisation of atmospheric pollution using both onsite and offsite renewables to product energy;

6.8.2.6 Building Sustainability and Environmental Performance Standards

A **BASIX Report & Associated Certificates** prepared by ADP Consulting, including NAtHERS certificate, stamped drawings and BASIX certificate indicating the project score against relevant criteria are enclosed in **Appendix X**.

BASIX forms the minimum compliance control for any new residential (Class 1 & 2) developments. The RAC and ILU buildings for the proposed development are all class 2 buildings. The minimum BASIX targets that must be achieved for class 2 buildings and score achieved are provided in **Table 6-3**.

Table 6-3 | BASIX Targets and Score Achieved

BASIX	Target	Score Achieved
Water	40%	41%
Energy	65%	68%
Thermal Comfort	Pass	Pass
Materials	N/A	-100

6.8.2.7 ESD Design Measures & Greenhouse Gas Emissions

As identified in the **Environmentally Sustainable Design Report**, the following initiatives and opportunities can reduce greenhouse gas emission impacts:

- **Building Fabric Design** – Glazed windows, insulation, glazing selections, shading devices and window to wall ratios
- **Heating, Ventilation, & Air Conditioning (HVAC) Design** – Apartment layouts, operable windows, ceiling plans, reverse cycle air conditioning and select HVAC equipment.
- **Lighting Design** – Reduce artificial lighting, design of daylight controls, motion sensor lighting, high-efficiency LED lights, whole of life impacts and urban sensitive lighting design.
- **On Site Renewables** – Photovoltaic (PV) cells and system.
- **Metering & Monitoring** – Energy monitoring and metering strategy including smart metering.

The following other ESD design measures can be considered during the design stage:

- Water Efficiency and Conservation
- Waste management practice
- Materials
- Sustainable Transport
- Biodiversity in design
- Sustainable management practices
- Climate change resilience

These initiatives and opportunities have been employed in many instances under the **Architectural Plans** and **Civil Engineering Report** and would be explored further at detailed design phase post obtaining development consent.

6.8.3 Mitigation Measures

BASIX and the NCC set minimum standards that will be complied with through the delivery of the project. As advocated above and through the **Environmentally Sustainable Design Report** the development already has and will continue to be refined to incorporate sustainable design initiatives.

6.9 Traffic, Transport and Accessibility

A **Traffic Impact Study** has been prepared by Planit Consulting for the proposed development and is enclosed within **Appendix G**. A **Green Travel Plan** and **Construction Traffic management Plan** have also prepared by Planit Consulting and is enclosed within **Appendix H** and **Appendix AL** respectively, to address item No. 10 of the SEARs, being:

10. Traffic, Transport and Accessibility

- *Provide a transport and accessibility impact assessment, which includes:*
 - *an analysis of the existing transport network, including the road hierarchy and any pedestrian, bicycle or public transport infrastructure, current daily and peak hour vehicle movements, and existing performance levels of nearby intersections.*
 - *details of the proposed development, including pedestrian and vehicular access arrangements (including swept path analysis of the largest vehicle and height clearances, and an explanation of how residents will access facilities and services), parking arrangements and rates (including bicycle and end-of-trip facilities), drop-off/pick-up- zone(s) and bus bays (if applicable), and provisions for servicing and loading/unloading.*
 - *analysis of the impacts of the proposed development during construction and operation (including justification for the methodology used), including predicted modal split, a forecast of additional daily and peak hour multimodal network flows as a result of the development (using industry standard modelling), identification of potential traffic impacts on road capacity, intersection performance and road safety (including pedestrian and cyclist conflict) and any cumulative impact from surrounding approved developments.*
 - *measures to mitigate any traffic impacts, including details of any new or upgraded infrastructure to achieve acceptable performance and safety, and the timing, viability and mechanisms of delivery (including proposed arrangements with local councils or government agencies) of any infrastructure improvements in accordance with relevant standards.*
 - *proposals to promote sustainable travel choices for employees, residents, guests and visitors, such as connections into existing walking and cycling networks, minimising car parking provision, encouraging car share and public transport, providing adequate bicycle parking and high quality end-of-trip facilities, and implementing a Green Travel Plan.*
- *Provide a Construction Traffic Management Plan detailing predicted construction vehicle routes, access and parking arrangements, coordination with other construction occurring in the area, and how impacts on existing traffic, pedestrian and bicycle networks would be managed and mitigated.*

A summary of the key outcomes of the assessments is provided in the following sub-sections.

6.9.1 Existing Transport Network

Vehicle access to the existing facility is established via an intersection onto Tweed Coast Road.

Access to the proposed development, essential services and the greater region would be either via the townships of Pottsville, Hastings Point or Cabarita.

The road / infrastructure links that are the most likely impacted by the proposal within the study area (refer to **Figure 6-6**) include the following:

- Tweed Coast Road in between Round Mountain Road (north) and Pottsville (south);
- Intersection between the existing facility on the subject site and Tweed Coast Road;
- Intersection between Tweed Coast Road and Round Mountain Road; and
- Intersection between Tweed Coast Road and Cudgera Avenue.



Figure 6-6 | Traffic Impact Study Area (Source: Planit Consulting)

The section of Tweed Coast Road within the nominated study area is contained within a 25m wide road corridor with the following characteristics:

- 10m wide pavement with 3.5m wide travel land in each direction.
- Merging and turning lanes into and out of the site as well as the service station directly to the south of the site.
- A turning land into the industrial site to the west of the site for eastbound traffic.
- A separated 2.5m pedestrian wide shared path on the western end of the road.

The current intersection for the existing facility that is proposed to be retained has the following characteristics:

- 7m wide privately owned concrete crossover.
- 17m long turning / declaration land into the site for northbound traffic
- 75m long merging / acceleration lane out of the site for northbound traffic
- 67m long turning lane into the site for southbound traffic which requires to cross the opposing traffic lane to enter the site.
- To the south of the intersection is a 40m long southbound turning lane into the service station adjacent to the site.

6.9.2 Traffic Assessment

6.9.2.1 Traffic Volume

To determine existing traffic flow, a traffic survey was conducted by Planit Consulting at the intersection of the site. This survey was carried out between the 21 to 27 May 2024 using a Miovision Scout Plus traffic camera.

The results of the traffic survey are graphically shown in **Figure 6-7** below.

Element	AM Peak	PM Peak	Weekend Peak	AADT
Northbound (into the site)	6 trips/h	4 trips/h	6 trips/h	62 trips/day
Northbound (exiting the site)	3 trips/h	4 trips/h	2 trips/h	31 trips/day
Southbound (into the site)	4 trips/h	7 trips/h	4 trips/h	42 trips/day
Southbound (exiting the site)	4 trips/h	4 trips/h	7 trips/h	42 trips/day
Northbound (Through)	331 trips/h	269 trips/h	193 trips/h	3442 trips/day
Southbound (Through)	220 trips/h	352 trips/h	252 trips/h	2288 trips/day

A graphic representation of distribution of background traffic across the study area is presented in Figure 5.

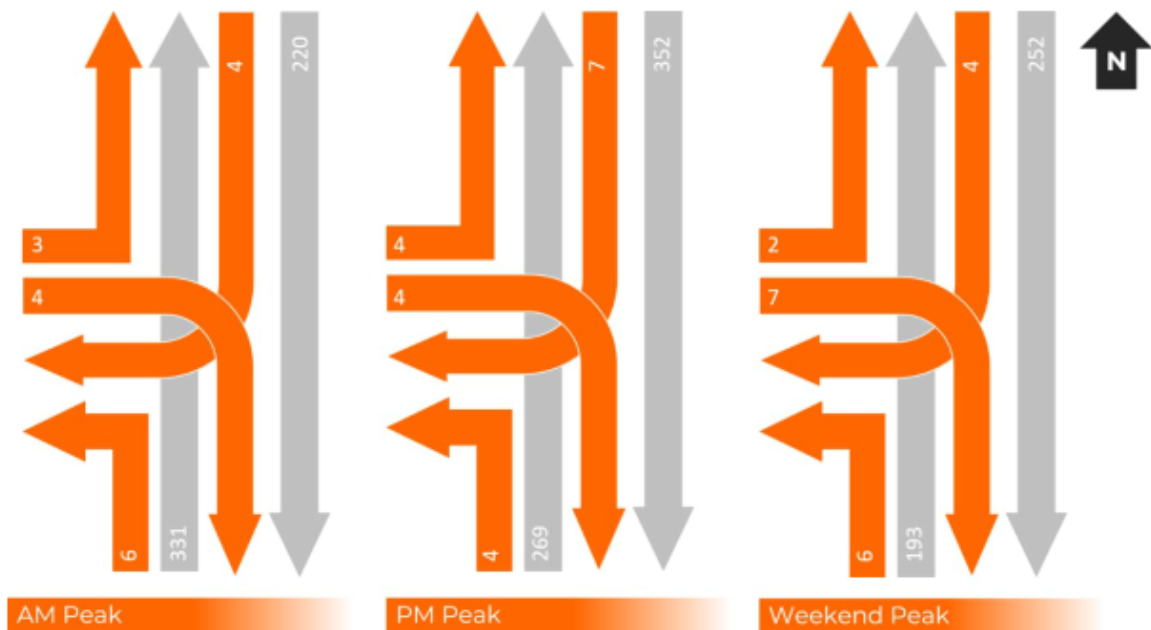


Figure 6-7 | Background Traffic Survey Data (Source: Planit Consulting)

To model ongoing traffic impacts associated with the development, an annual growth of 2% annually for 2026 and 2036 were assumed.

Traffic generation rates associated with the proposed development were estimated using the user categories within the 2002 TfNSW 'Guide to Traffic Generating Development'.

Based on the assumptions detailed above, the proposal is estimated to result in increased traffic volumes generated by the site of 28 trips in the AM peak, 17 trips in the PM peak and 20 trips in the weekend peak. An increase in vehicle trips of between 10 and 50 trips per hour is typically considered 'moderate' impact.

The total development traffic was combined with the background traffic for the base (2024) and 2026 and 2036 scenarios. SIDRA 9.0 intersection modelling software was utilised to develop and analysis the performance of the intersection for the period between 2026 to 2036 with and without the proposed development impact.

The key performance indicators adopted when assessing the modelling scenario was the level of service on the intersection, degree of saturation and queuing proportion.

A summary of the key findings of the modelling were as follows:

- Under all scenarios the level of service for through traffic onto Tweed Coast Road remains optimal.
- Under all scenarios, the level of service for traffic entering the site remains optimal including existing turning lanes can facilitate post development traffic.
- Between 2026 and 2036, traffic leaving the site onto Tweed Coast Road will experience a small loss in serviceability. The loss in serviceability will be regardless of the proposed development and will only result in modest reductions in free flow-speed. Due to the low levels of peak hour traffic it's unlikely that the reduction will result in increased queuing leaving the site.
- Additional designated right and lefthand turning lanes for traffic leaving the site does not improve overall serviceability.

- Based on the results no intersection upgrades are recommended as part of the development.

6.9.2.2 Internal Vehicular Movement

From the existing crossover and driveway off Tweed Coast Road, the driveway is proposed to tee off into a northern and southern leg to form part of a main circulation network. Resident parking is provided within the 4 basements and visitors and staff at ground level.

Swept path analysis was performed for all critical turning movements, and it has been demonstrated that the proposed layout achieves adequate vehicular circulation.

The largest emergency vehicle identified for the proposed development was an MRV Fire Fighting Vehicle that can adequately circulate the proposed development.

The largest service vehicle is a waste collection vehicle (HRV) which can service the nominated waste pickup points on site. General servicing for the proposed development will be via SRV and MRV vehicles. Swept path analysis for these services vehicles demonstrates that proposed layout achieves adequate service vehicular circulation.

6.9.2.3 Car Parking

All car parking required for Stage 1 has been delivered. There is no parking provision required over the land subject to this SSD Application in association with the completed Stage 1 development. Car parking requirements for this new proposal at the site therefore only relate to the development proposed under this SSD Application.

The **Traffic Impact Study (Appendix G)** provides the below analysis, to demonstrate that the proposal exceeds the minimum car parking requirements for the site.

Table 6-4 | Car Parking Calculation (Source: Planit Consulting)

Element	Rate	Requirement		Provision	
		Development	Demand	Description	Supply
Building D (Aged Care)	1 space/ 15 beds	47 beds	4 spaces	Basement level under Building.	23 spaces (Compliant)
Building E 2-Bedroom units* 3-Bedroom units*	0.5 spaces/ bedroom	18 units 6 units	18 spaces 9 spaces	Basement level under Building.	33 spaces (Compliant)
Building F 2-Bedroom units* 3-Bedroom units*	0.5 spaces/ bedroom	12 units 6 units	12 spaces 9 spaces	Basement level under Building.	28 spaces (Compliant)
Building G 2-Bedroom units* 3-Bedroom units*	0.5 spaces/ bedroom	3 units 6 units	3 spaces 9 spaces	Basement level under Building.	12 spaces (Compliant)
Visitor/ Staff	0.5 spaces/ staff + 2 visitor spaces + 1 visitor space/ 30 beds	Assume ~30 47 beds	15 spaces 2 spaces 2 spaces	Surplus in Basement D (not counted) and adjacent to circulation driveway.	19 spaces**
Total			83 Spaces		115 spaces

*Multi-purpose rooms are only counted towards the number of bedrooms where they would satisfy the BCA requirements for a bedroom (i.e. window size).

6.9.3 Sustainable Travel Choices and Green Travel Plan

A **Green Travel Plan** has been prepared by Planit Consulting and is enclosed in **Appendix H**. The primary objectives in the **Green Travel Plan** include the following action items:

- Reduce the use of single-person cars as a primary mode of transport where practical;
- Promote uptake of cycling as a means of transport where practical;
- Promote the use of public transport where practical; and
- Understand and respond to trends in staff views towards alternative and 'green' modes of transport on an ongoing basis.

To achieve the objectives of the **Green Travel Plan** the following outcomes have been pursued:

- Provision of 52 bicycle storage areas within the basement of Building E, F and G.

- While there is no minimum bicycle parking area under the Housing SEPP or Council DCP for ILUs, Council's DCP indicates a minimum provision of 11 bicycle spaces in association with the RAC. The number of bicycle parking spaces being provided onsite is more than required under the Tweed DCP, consistent with the objective for encouraging alternative and active transport
- In addition to this, bicycle parking is provided within designated racks at the existing staff entry to Building B (built under Stage 1 of DA06/0413.
- Continued use and operation of the private TriCare shuttle bus that operates for the site
- Encouraged utilisation of the public buses that operate directly in front of the site
- To continuously respond to trends in 'green' and alternative modes of transportation, it is recommended to continuously monitor trends amongst staff this includes considering charging points for E-bikes

6.9.4 Construction Traffic Management Plan

A **Construction Traffic Management Plan** has been prepared by Planit Consulting and is enclosed in **Appendix AL**. The **Construction Traffic Management Plan** has been prepared to ensure the safety of all workers and road workers with the primary objective to provide safe systems of controlling and managing traffic for the proposed works.

The **Construction Traffic Management Plan** covers a range of items including construction methodology and staging, operational plant and equipment, hours of work, public protection controls, construction worker induction and safe work procedures and construction vehicle movements. Importantly, the **Construction Traffic Management Plan** confirms that heavy vehicle construction movements can be made efficiently and safely via an existing access that sits north of the Stage 1 development. This avoids heavy vehicles from entering and disrupting the existing property access and car parking areas. Noise associated with the use of this accessway during construction has been tested and determined as being suitable (refer to **Section 6.11** of this EIS).

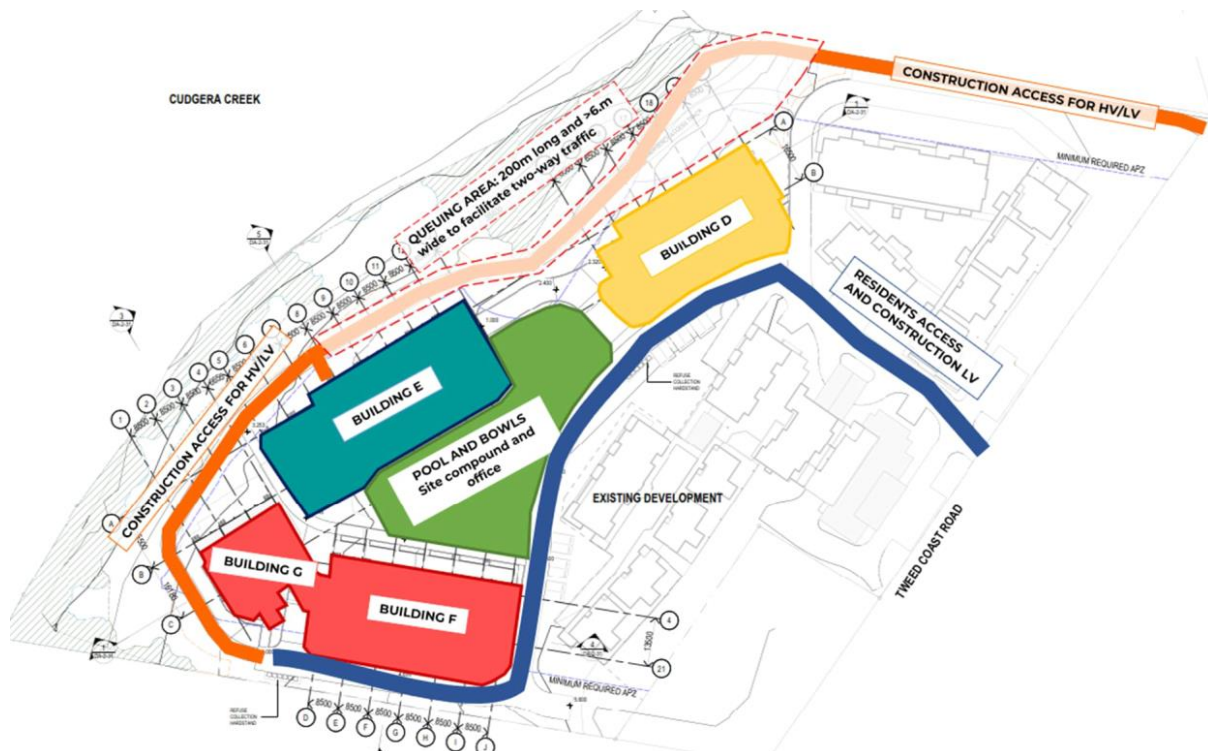


Figure 6-8 | Construction Vehicle Movements (Source: Planit Consulting)

6.9.5 Mitigation Measures

As detailed above, the proposed development is not anticipated to impact on the service level of Tweed Coast Road or any intersections. No upgrade works to existing transportation infrastructure (roads or intersections) are required to mitigate the impact of additional trips generated by the proposed development.

Appropriate traffic management measures will also be implemented throughout the construction phase as identified within the **Construction Traffic Management Plan**.

In addition, implementation of the **Green Transport Plan** will further encourage active travel and use of active, private bus and public transport to further reduce individual vehicle trip generation by the proposed development.

6.10 Biodiversity

A BDAR, **Restoration Management Plan**, **Koala Habitat Assessment** and **Aquatic Impact Assessment** have been prepared by Cumberland Ecology (refer to **Appendix T, S, R and Q**) to address item No. 11 of the SEARs, being:

11. Biodiversity

- *Assess any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land.*
- *If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification*

6.10.1 Terrestrial Flora and Fauna

6.10.1.1 Methodology

The subject site is not biodiversity certified land.

The proposed development requires the preparation of a BDAR as it is an SSD which triggers the Biodiversity Offsets Scheme (BOS) area clearing threshold.

A BDAR has been completed by Cumberland Ecology, comprising detailed desktop and site investigation.

A detailed assessment of all existing information which relates to biodiversity values and commitments within the site was made, including a review of the following:

- Survey data that is held in E&H databased, including BioNet Atlas, BioNet Vegetation information system database and the threatened biodiversity data collection.
- Existing vegetation mapping within the Tweed Vegetation Management Strategy.
- Existing reports for the study areas and surrounds including, but not limited to:
 - Flora and Fauna Assessment of Lot 1 DP 786570 Coast Road Hastings Point, December 2005, Bushfire Safe Environmental Services
 - Tweed Shire Council (2013) Coastal Management Plan for the Tweed Coast Estuaries
 - Updated Rehabilitation Strategy Report for 87-89 Tweed Coast Road, Hastings Point, January 2008, Seekchange Pty Ltd
 - Tweed Coast Koala Habitat Study, January 2011. Biolink Ecological Consultants.

The following field surveys were undertaken:

- Initial field survey was undertaken on 11 and 12 October 2022 for initial vegetation mapping and koala activity surveys.

- Further field surveys undertaken between 27 February and 3 March 2023 for refinement of vegetation mapping, plot-based surveys, parallel traverses, harp trapping, ultrasonic call detection and spotlighting surveys.
- A raptor nest survey undertaken on 14 July 2023 by Ecologist Anand Datar.
- Aural visual surveys by Herpetologist Ross Wellington over four nights from 7 to 10 November 2023.
- A targeted survey for Bush Stone-curlew by senior ecologist Dr Trevor Meers, Botanist Lucus Wilson on 7 November 2023.
- Placement of 2 infra-red camera between 7 November and 14 December 2023.

The Biodiversity Assessment Method Calculator (BAMC) was used to generate a list of threatened species requiring assessment utilising several variable and the following criteria was utilised to predict the threatened species requiring further assessment:

- BRA Region: SEQ
- IBRA subregion: Burringbar-Conondale Ranges
- NSW Mitchell Landscape: Byron-Tweed Coastal Barriers
- Associated PCTs: 3989 and 3132
- Percent native vegetation cover in the assessment area: 45%
- Patch size: >100 ha; and
- Credit type: Ecosystem and/or species.

6.10.1.2 Survey Results

There were 2 native Plant Community Types (PCTs) were recorded within the site.

- **PCT 3989 – Northern Paperbark Fern Swamp Forest.** This PCT occupies a very limited area within the subject land, specifically 0.03ha. It exists in a modified and degraded condition, likely due to past land use and weed invasion. This vegetation occurs near the western side of the property and includes grassy condition states dominated by exotic species.
- **PCT 3132 – Northern Sands Tuckeroo-Banksia Forest.** This PCT covers 2 distinct areas, 1 being an area subject to former restoration and the 2nd being an area comprising planted non-native fig trees. The total area of this PCT within the subject land is 0.06ha (0.04ha for the restoration area and 0.03ha for the figs). This vegetation community includes areas planted as part of previous restoration efforts.

PCR 4091 – Mangrove was identified within the study area, though located outside of the site.

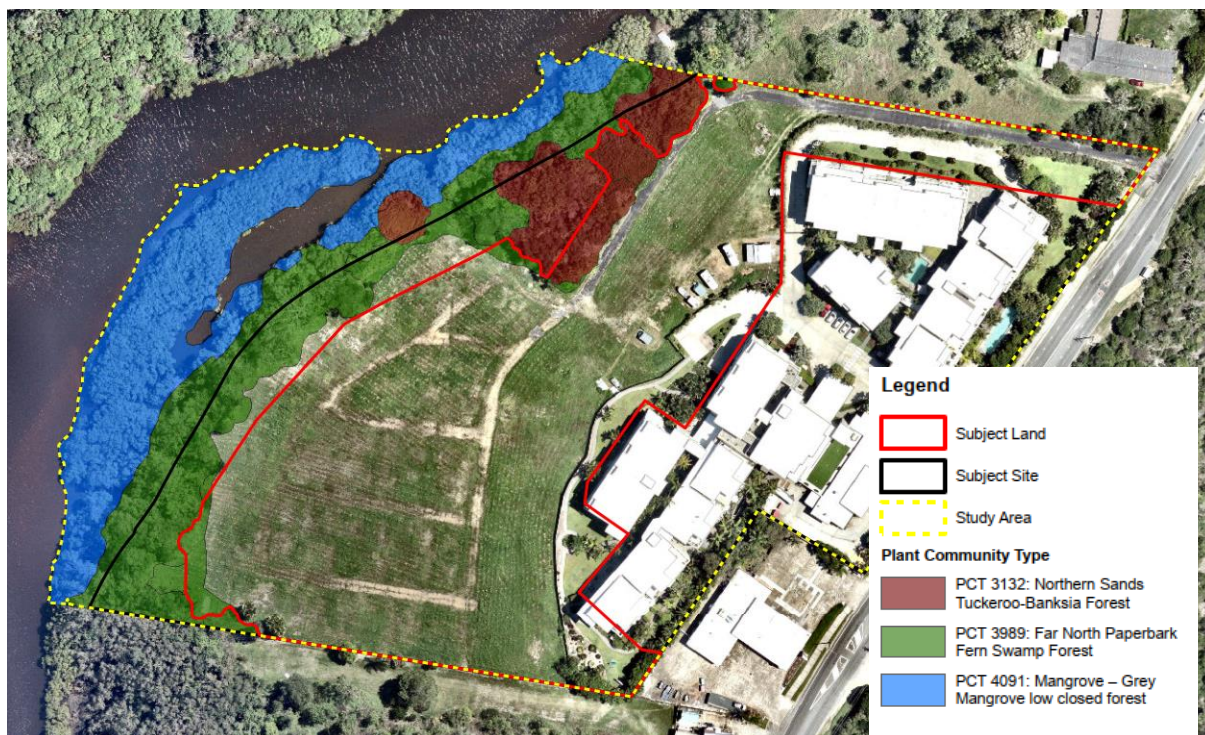


Figure 6-9 | Plant Community Types (Source: Cumberland Ecology)

No threatened flora species were identified within the site or study area despite targeted survey efforts.

The BAM identified several threatened fauna species considered either present or assumed to be present within the subject land. The site surveys recorded no threatened flora species at the site, despite targeted search efforts. Notably, surveying was undertaken for the Bush Stone-curlew (*Burhinus grallarius*), Wallum Froglet (*Crinia tinnula*), Mangrove Honeyeater (*Lichenostomus fasciularis*), Southern Myotis (*Myotis macropus*), Common Planigale (*Planigale maculatus*), and Greater Glider (*Petauroides volans*).

Survey results confirmed evidence or habitat likely to support these species within the study area. For instance, call records and visual observations confirmed the presence of the Bush Stone-curlew and Wallum Froglet in the broader area. Other species, such as the Southern Myotis, were inferred from ultrasonic recordings and habitat proximity to water. Although no individuals of threatened flora species were found, thorough survey effort across multiple seasons supports the validity of this finding.

6.10.1.3 Impact Assessment

The BDAR outlines a comprehensive suite of avoidance, minimisation, and offset measures to address biodiversity impacts.

Avoid

Avoidance has been achieved through the careful siting of the proposed development. The layout has been confined to already cleared or disturbed areas within the subject land. No intact remnant vegetation mapped or identified TECs will be removed. Additionally, while part of the development footprint falls within mapped proximity zones to coastal wetlands, the actual wetland areas are avoided.

Minimise

The total extent of clearing impact is limited to 0.06ha of native vegetation. This includes 0.04ha of PCT 3132 (in its restoration condition state) and 0.03ha of PCT 3989. These impacts are primarily driven by the requirement to establish APZs around buildings, required for bushfire risk management.

While the BDAR indicates there will be no significant loss of vegetation and no direct mortality or destruction of individuals of threatened species, it does consider there will be indirect habitat impacts. This is associated with the loss of small patches of potential habitat as well as other activities at the site that have the potential for indirect ecological impacts. This includes construction and built form activities that would alter surface and ground water conditions, expose soils and cause runoff, as well as raising noise and light.

The BDAR has reviewed other site-specific impact assessments that form part of this SSD Application, including the **Stormwater Management Plan, Hydrological Impact Assessment, Acid Sulfate Soils Management Plan, Erosion and Sediment Control Plan**, to conclude that the proposal has minimised its potential for indirect impacts.

Offset

Despite the small area involved, these impacts still trigger offset requirements under the *Biodiversity Conservation Act 2016*. The vegetation is considered modified, but nonetheless native.

The calculated biodiversity offset requirement amounts to 3 ecosystem credits—1 credit for the area of PCT 3132 and 2 credits for PCT 3989. These credits are to be retired to meet the “no net loss” standard established by the BAM.

Because the identified impact relates to habitat and considering the existing Restoration Management Plan requirements for the site, the BDAR also addresses impacts through targeted restoration and management measures.

Approximately 0.47ha of on-site habitat will be restored and enhanced through an updated **Restoration Management Plan (Appendix S)**. Greater detail regarding this **Restoration Management Plan** is provided below.

The BDAR concludes that no significant adverse effect is anticipated for any of the identified species if proposed mitigation is implemented.

Overall, the BDAR demonstrates that impacts have been avoided wherever possible, minimised through best practice management, and offset through both credit retirement and active on-site restoration, satisfying the full biodiversity impact mitigation hierarchy.

6.10.1.4 Koala Habitat Assessment

The **Koala Habitat Assessment** has been prepared in accordance with the Biodiversity and Conservation SEPP and the Tweed Coast Comprehensive Koala Plan of Management (CKPoM).

The **Koala Habitat Assessment** competed under the requirements above, concluded as follows:

- Koala activity was not observed in the study area.
- No preferred koala food trees were detected in the study area.
- Koala habitat was limited to secondary (class B) koala habitat containing supplementary food species only.
- Impacts to Koala habitat is limited to the clearing / modification of 0.036ha of PCT 3132 restoration. The proposed clearing is to be offset at a ratio of 1:12 on site through the management of existing koala habitat and revegetation to create additional habitat with a total of 0.473ha of habitat protected (0.335ha) / created (0.131ha). This exceeds the minimum offset requirements for clearing secondary Koala habitat prescribed under the Tweed Coast CKPoM.

Several Koala friendly measures are proposed to minimise impacts to the Koala and Koala habitat that are summarised below:

- No fencing within the restoration area.
- 40km/h speed limit with speed humps.
- Retained Koala habitat along Cudgera Creek to be fenced and protected during construction.
- A preclearance survey and supervision by an ecologist to be undertaken prior to and during clearing
- Clearing to be suspended if a Koala is located within 25m of proposed clearing and shall not commence until the Koala moves from the tree on its own volition.

6.10.1.5 Restoration Management Plan

A **Restoration Management Plan (Appendix S)** has been prepared to support the proposal, setting a contemporary 5-year framework for vegetation management, restoration, and compliance in association with the biodiversity and Koala habitat impact assessment and offset requirements that have been discussed above.

A Restoration Management Plan was previously developed for the site, in association with the existing development consent for the land, being DA06/0413. This former plan, provided 3x restoration areas within the site:

- **Riparian Zone:** Along Cudgera Creek, to be managed via assisted natural regeneration.
- **Core Rehabilitation Zone:** A 20m wide strip intended to be densely planted with Littoral Rainforest species.
- **Residual/Outer Rehabilitation Zone:** Up to 30m from the core zone, designed for weed control and open woodland plantings with specific features like boardwalks, picnic areas, and swales.

Only part of the core rehabilitation zone in the north-east was implemented with rainforest plantings. Ecological surveys undertaken for the BDAR have confirmed that some core-rehabilitation planting has occurred outside of the core rehabilitation zone. The residual zone remained largely unmanaged and covered in exotic grassland.

The new **Restoration Management Plan (Appendix S)** seeks to advance the former management strategies, ensuring there is no loss of ecological benefit from the delivery of Stage 1 at the site and providing responses for the proposed development.

Key components include:

- Updated Management Zones:
 - Residual Outer Rehabilitation Zone (IPA): 0.277ha (down from 0.399ha in the original plan), modified to meet current APZ requirements.
 - Core Rehabilitation Zone: Increased from 0.412ha to 0.467ha to include additional areas and offset requirements.
- Ecological Consistency:
 - Focus on plantings aligned with Littoral Rainforest and Swamp Sclerophyll Forest vegetation communities.
 - Control of high-threat exotic weeds.
 - Planting of Koala food trees like *Eucalyptus robusta*, *Melaleuca quinquenervia*, and *Lophostemon confertus*.
- Monitoring and Reporting:
 - Monitoring through fixed plots with performance criteria based on native cover and structure.
 - Annual reporting and adaptive management based on outcomes.
- Funding and Duration:
 - Plan to run for 5 years, funded by TriCare.
 - Post-5-year maintenance expected to continue in perpetuity under updated plans.

The proposed **Restoration Management Plan** maintains the overarching goals of the previous strategy—conservation and rehabilitation of native vegetation and the riparian corridor.

Specific areas of consistency include:

- Continued use of core and residual rehabilitation zones, although with adjusted boundaries to reflect current planning and site constraints.
- Ongoing assisted natural regeneration in riparian areas and weed management across the restoration zone.
- Maintenance of a vegetative buffer along Cudgera Creek to improve ecological connectivity.
- Use of native vegetation from similar plant communities, consistent with earlier plant species and structure objectives.

However, unlike the original plan, the new / proposed **Restoration Management Plan** also:

- Integrates APZ requirements into rehabilitation areas.
- Expands habitat restoration in areas that were previously neglected or unplanted.
- Aligns restoration explicitly with offset requirements for koala habitat and integrates detailed performance monitoring, which was less formalized in the original plan.

6.10.2 Aquatic Ecological Values and Resources

Whilst not a specific requirement under the SEARs, an **Aquatic Impact Assessment**, which includes an Assessment of Significance, has been prepared (refer to **Appendix Q**).

This analysis was undertaken to consider potential direct and indirect impacts on aquatic ecological resources and values, and specifically Fish Habita, Marine Vegetation and threatened species or ecological communities listed under the *Fisheries Management Act 1994*.

Vegetation mapping identified one PCT in the study area that is a Key Fish Habitat under the *Fisheries Management Act 1994*. This is PCT 4091 Mangrove – Grey Mangrove low closed forest. Open water also adjoins the site.

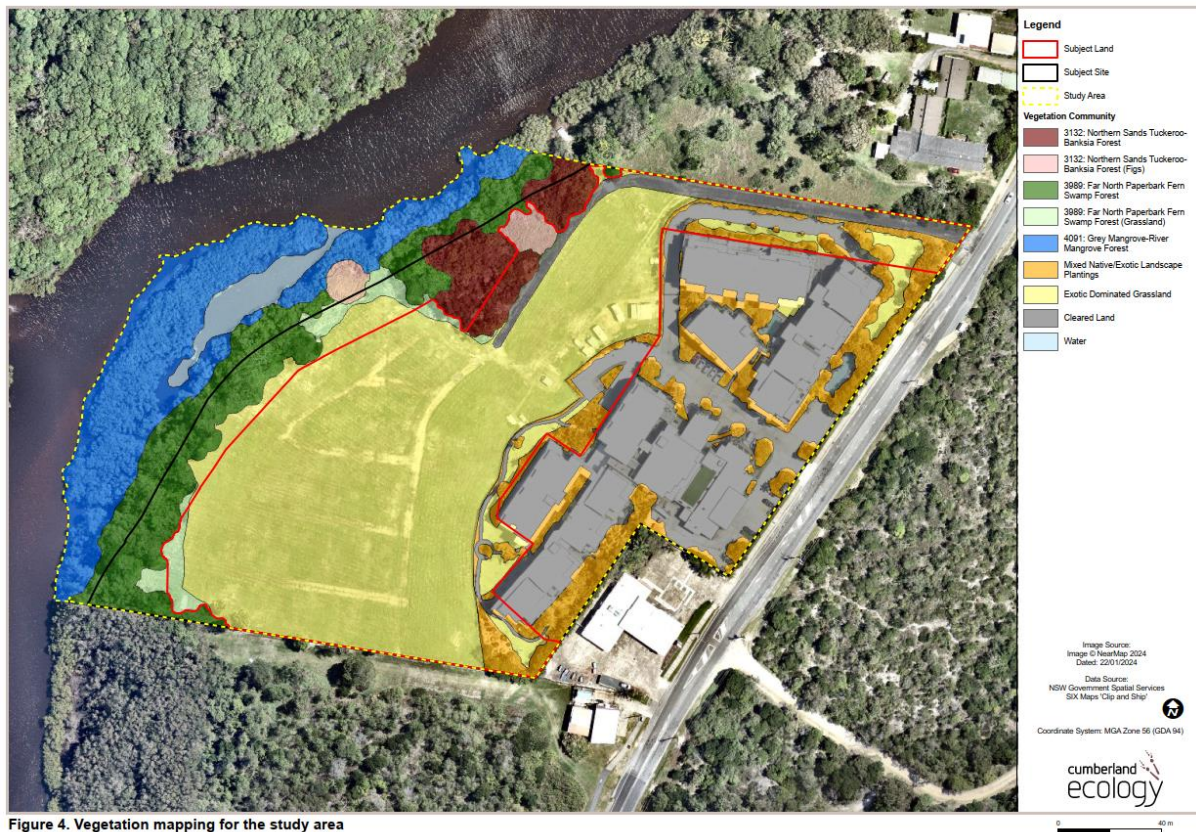


Figure 4. Vegetation mapping for the study area

Figure 6-10 | Vegetation Mapping (Source: Cumberland Ecology)

To assess if any threatened species under the *Fisheries Management Act 1994* are likely to exist within the study area, relevant databased were searched and reports reviewed.

The **Aquatic Impact Assessment** indicates:

- A coastal saltmarsh was identified on the opposite side of Cudgera Creek, approximately 100m from the site.
- 3 threatened fish species and 4 threatened shark species could pass through marine waters but unlikely to pass the shallow waters of Cudgera Creek are not expected to be directly or indirectly impacted by the proposed development.

- The only marine or estuarine species that are threatened under the *Fisheries Management Act 1994* that could potentially occur within the locality is the White's Seahorse and Black Rockcod.

No vegetation clearing, earthworks or direct disturbance will occur within mangroves, estuarine zones, or listed species habitat.

Potential impacts from the development are limited to indirect impacts. Activities that have the potential to cause indirect impacts are assessed within the relevant subsection of **Section 6** of this EIS and include surface and groundwater interaction as well as soil exposure and sediment runoff. A summary of these activities, with specific regard to their potential impacts on aquatic values and resources is provided below.

Surface Water

- **Risk:** Altered hydrology and reduced water quality from increased impervious surfaces
- **Mitigation:**
 - Design ensures discharge remains below pre-development rates and via legal point of discharge
 - Infiltration pits for runoff control
 - Oil and grit separators for managing water quality

Groundwater

- **Risk:** Lowered groundwater levels potentially affecting mangroves
- **Mitigation:**
 - Detailed modelling has confirmed any predicted drawdown is minor (~0.05 m) and offset by tidal dynamics and future sea level rise.
 - Extracted groundwater may be disposed to Cudgera Creek post onsite treatment

Erosion & Sediment Control

- **Risk:** Sediment entering Cudgera Creek
- **Mitigation:**
 - Temporary sediment fencing
 - Minimising exposed soils
 - Pollution controls and runoff barriers
 - Soil type is sandy, reducing dispersion risk

Acid Sulfate Soils

- **Risk:** Disturbance during excavation can lead to acid drainage affecting aquatic habitats
- **Mitigation**
 - Site specific Acid Sulfate Soils Management Plan
 - Controlled excavation, treatment and verification sampling
 - Water quality monitoring and bunding

6.11 Noise and Vibration

A **Noise Impact Assessment**, which includes a Construction Noise and Vibration Management Plan, has been prepared by ADP Consulting and is enclosed within **Appendix F** to address item no. 12 of the SEARs, being:

12. Noise and Vibration

- Provide a noise and vibration assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented

A summary of the key outcomes of the assessments are provided in the following sub-sections.

6.11.1 Methodology

ADP Consulting undertook a comprehensive acoustic investigation, including a 7-day unattended noise monitoring campaign and detailed site analysis.

ADP Consulting conducted a site investigation on Thursday 7 March 2024. During the detailed site investigation, the nearest noise-sensitive premises identified by ADP Consulting were as follows (refer to **Figure 6-11** below):

- Residential receiver - 79 Tweed Coast Road – Existing single storey detached dwelling, located to the north of the subject site.
- Commercial receiver – Shell Coles Express Service Station.
- The existing development that includes multi storey residential dwellings,



Figure 6-11 | Sensitive Noise Receivers and Monitoring Locations (Source: ADP Consulting)

Unattended noise monitoring was taken from 2 locations, as shown within **Figure 6-11** above. These noise monitors provided noise measurements over 7 days from 7 March to 14 March 2024. This data allowed ADP to understand baseline background noise levels and advance its own modelling to assess construction and operational noise impacts

The observed background noise levels of the site and surrounds are predominately influenced by Tweed Coast Road and the Shell Coles Express service station. There are no persistent high-noise generators nearby.

The unattended noise levels recorded at the 2 noise monitoring locations are provided in **Table 6-5** below.

Table 6-5 | Unattended Background Noise Measurements (Source: ADP Consulting)

Location / Descriptor	Daytime (7am to 6pm)	Evening (6pm to 10pm)	Nighttime (10pm to 7am)
Location A – Background Noise			
Repeatable – Laeq	49	51	49
Rating Background Level (RBL) – LA90	41	42	41
Location B – Traffic Noise			
Repeatable – Laeq	64	60	57
Rating Background Level (RBL) – LA90	43	44	42

ADP Consulting established noise emission criteria for the proposed development based on the noise amenity levels of the NSW Noise Policy and the background unattended noise monitoring results.

Interim construction noise criteria were established in accordance with the NSW EPA Interim Construction Noise Guidelines.

Best practice guidelines were also referenced to determine the vibration criteria for human comfort, structural damage and ground-borne noise.

6.11.2 Construction Noise and Vibration Assessment

The **Noise Impact Assessment (Appendix F)** considers the construction vehicles and equipment expected to be used on site and associates their noise outputs based on Australian Standard AS2436 and international standards. Works outside the normal construction hours (Monday to Friday: 7am to 6pm and Saturday 8am to 1pm) have not been assessed, nor proposed.

The noise assessment has shown predicted noise levels at the nearest sensitive receivers remain compliant with the 75 dBA “highly noise affected” threshold in almost all scenarios. Where minor exceedances occur, they are short in duration, limited to specific plant items (e.g. excavator with hydraulic hammer), and can be mitigated through onsite management practices and scheduled respite periods. Vibrations are also expected to be manageable, with suggested buffer zones and real-time monitoring in place to ensure compliance.

A summary of the mitigation measures proposed under the **Noise Impact Assessment (Appendix F)** are discussed below.

6.11.3 Operational Noise and Vibration Assessment

The Noise Assessment indicates that the proposed development has been designed to minimise noise and vibration generation, supporting health and residential amenity at the site:

- Mechanical plant is positioned to take advantage of shielding from existing and new buildings.
- On-site traffic is directed through central accessways, and movements will occur below perceptible thresholds for nearby residents.

- Communal facilities (bowling green, walking trail, existing indoor pool) are either shielded acoustically, distanced from residences, or located indoors.
- Waste collection is undertaken by private contractors and able to be scheduled during daytime only. Waste collection and building design provides buffering from waste collection noise emissions.

The overall acoustic profile of the operational site is effectively controlled and poses no adverse impact on neighbouring properties.

6.11.4 Mitigation Measures

The following mitigation measures have been recommended under the **Noise Impact Assessment (Appendix F)** given the residential effects associated with construction vibration and that construction noise has been calculated with the potential to marginally exceed the noise criteria.

- Community consultation
 - Notifying nearby sensitive receivers of potential noise exceedances before the commencement of noisy activities via letterbox drop with the nature, time and duration of the activity.
 - Describe any noise controls, such as, walls to be built first that will reduce noise, temporary noise walls, or use of silenced equipment.
 - Keep neighbours up to date on progress.
 - Providing contact details on a site board at the front of the site and maintain a compliant register suited to the scale of the development; and
 - Providing a copy of the noise management plan, if available, to noise affect neighbours.
- Plant operation
 - Where practical, undertake the noisiest works during the recommended standard hours;
 - Turn off plant at times that it is not being used;
 - Examine, and implement where feasible and reasonable, alternative work practices which generate less air-borne and ground-borne noise – for example:
 - use electric equipment instead of diesel or petrol-powered equipment; and
 - use sawing methods that reduce ground-borne noise.
 - Examine, and implement where feasible and reasonable, the use of silenced equipment and noise shielding around stationary plant (such as generators);
 - Ensure plant is regularly maintained, and repair or replace equipment that becomes noisy;
 - Arrange the work site to minimise the use of movement alarms on vehicles and mobile plant;
 - Locate noisy plant away from potentially noise affected neighbours or behind barriers, such as sheds or walls; and
 - Ensure that the site foreman or representative is trained in taking noise measurements and logs noisy activities during construction at the closest affected receivers and on site
- Equipment selection
 - Equipment mitigation measure may be considered, such as tool and engine muffler or silencer and use of portable acoustic barriers.
 - Use of vibration monitoring equipment.
 - Alternative methods be employed to reduce impacts.
 - Monitoring of equipment to be triggered to the specified levels.
- Worker conduct
 - Workers should avoid dropping materials from a height, discussions with workers around the sensitive receivers and how to reduce noise impacts and use radios and stereos indoors only.
- Complaint handling
 - Site staff with the displayed complaint phone number will be informed of current and upcoming works and the relevant contacts for these works.
 - Handle complaints in a prompt and responsive manner;

- Once a complaint is received, noise measurements should be taken by trained staff and action taken accordingly; and
- Where complaints are specific about a particular work activity or equipment, where feasible and reasonable, additional actions should be implemented to minimise noise output.

In addition to the measures detailed above, it is proposed to install a temporary 2.4m plywood barrier around the perimeter of the site to help further reduce noise emissions of equipment on site during the construction phase as illustrated in blue in **Figure 6-12**.



Figure 6-12 | Acoustic Barrier Locations (Source: ADP Consulting)

6.12 Ground and Water Conditions

Item 13 of the SEARs relates to ground and water conditions, as described below.

13. Ground and Water Conditions

- *Provide an assessment of the potential impacts on soil resources, including related infrastructure and riparian lands on and near the site.*
- *Provide an assessment of the potential impacts on surface and groundwater resources (quality and quantity), including related infrastructure, hydrology, aquatic and ground water dependant ecosystem, drainage lines, downstream assets and watercourses.*
- *Provide an assessment of salinity and acid sulfate soil impacts.*

Item 14 of the SEARS also relates to water management. In this regard, surface water conditions, pre and post development, are addressed directly within **Section 6.113** of this EIS.

This section of the EIS focuses on ground and groundwater conditions. It provides a detailed summary of the **Geotechnical Assessment** prepared by Martens (refer to **Appendix AE**), **Hydrogeological Impact Assessment** prepared by Martens (refer to **Appendix AD**) and **Acid Sulfate Soils Management Plan** (refer to **Appendix J**) prepared by ENV Solutions. These reports have been prepared in response to Item 13 of the SEARs.

6.12.1 Ground Conditions – Methodology

Martens & Associates conducted a detailed geotechnical assessment involving:

- A site walkover and desktop study to understand local geology, topography, and hydrology.
- Drilling of 5 boreholes.
- Installation and monitoring of groundwater wells.
- Laboratory testing of soils for strength, plasticity, and chemical aggressivity.
- Use of past geotechnical and environmental reports to supplement findings. Standard Penetration Tests (SPTs) were employed to assess subsurface conditions, while groundwater monitoring was carried out over 18 months to evaluate seasonal variation and likely construction impacts.

6.12.2 Ground Conditions –Existing Environment

The site is located between Cudgera Creek and the Pacific Ocean, characterised by:

- Gently sloping terrain (3%–10%) and modified dune systems.
- Subsurface layers including fill, loose sands, medium-dense marine sands (“Coffee Rock”), silty clays, and estuarine sediments.
- Generally shallow groundwater
- Some legacy disturbances from historical sand mining and demolition activities.

These natural and modified conditions were assessed for their impact on excavation, foundation design, and long-term stability.

Given the history of the site for sand mining purposes, testing for potential radioactive sands was undertaken with a Geiger with all drilling works as part of the ASS investigation.

Radioactive properties within material assessed during drilling works were not noted to be present. As such, laboratory radionuclide testing was not undertaken. All Geiger counter results were recorded below the safe level of human exposure of 0.7 uSv/h, with each reading being around 0.1 uSv/h.

6.12.3 Ground Conditions – Impact Assessment

The proposed development does not include extensive earthworks, other than basement excavation (up to ~4.5 m deep).

While excavation will intersect groundwater, which is discussed in detail below, no slope instability risks were identified due to flat terrain.

With respect to the existing geotechnical environment and the construction phase of the proposal, the **Geotechnical Assessment** concludes:

- Soft soils and fill are not suitable for direct footings but will be removed and replaced or bypassed via piling.
- Vibrations and settlement risks are manageable with proper methodology (e.g. avoiding driven piles, monitoring).
- Pile construction, groundwater inflow, and earthworks have been evaluated to avoid damage to adjacent infrastructure.

Specific to the operational phase of the proposal, the **Geotechnical Assessment** confirms:

- Buildings are designed with deep pile foundations extending into stable strata (dense sands or stiff clays), which reduce risks of settlement or movement.
- The groundwater regime is well understood and can be accommodated through waterproofed (tanked) basement designs.
- There are no anticipated geotechnical hazards under normal operational loads.

6.12.4 Ground Conditions - Mitigation Measures

The **Geotechnical Assessment** recommends the following strategies to develop with the final design and construction methodologies:

- Use of Continuous Flight Auger (CFA) piles and diaphragm walls to limit groundwater ingress and ensure foundation stability.
- Avoidance of vibratory and driven piles to reduce ground disturbance.
- Temporary shoring and dewatering strategies to ensure excavation safety. (refer to comments below)
- Groundwater drawdown will be tightly controlled and modelled in detail before works commence (refer to comments below).
- Dilapidation surveys and vibration monitoring plans will be implemented to protect nearby structures.

6.12.5 Acid Sulfate Soils Assessment

The **Acid Sulfate Soils Management Plan (Appendix J)** included the drilling of 6 boreholes to a depth of 5m (1.5m below the depth of disturbance) with the collection of soil samples at approximately 0.5m intervals. There were 64 samples collected and subject to field peroxide screening. Of these samples, 17 (more than 25%) were analysed for ASS using the chromium suite method.

The results of the ASS investigation indicated that soil profiles from 2.5m to 5.0m are classified as ASS.

The testing did not identify the extent of ASS to be a preclusive risk to the development, and rather, it confirms that soil excavation at the site will require site-specific ASS management. Based on the laboratory results a liming application rate (with a safety factor of 1.5) based on the results of the chromium reducible sulfur (CRS) analysis. The liming rates for each 0.5m layer range from 1kg – 5 kg of lime per tonne of soil.

The **Acid Sulfate Soils Management Plan** indicates that reuse of treated ASS may occur on the site, though given the limited extent of fill that is proposed, the **Acid Sulfate Soils Management Plan** includes options and procedures for transporting and disposing soils offsite. These procedures can be employed through implementation of the **Acid Sulfate Soils Management Plan** that forms part of this EIS package.

6.12.6 Ground Water – Methodology

The **Hydrological Impact Assessment** undertook the following works to understand the existing groundwater environment and assess the potential impact of the proposed development:

- Review of existing hydrogeological investigation data and regional information for the site and surrounding area.
- Construction of nine borehole groundwater monitoring wells and 1 surface water monitoring point, to monitor the existing ground water levels and groundwater quality at the site. The boreholes and surface water monitoring were subject to 15min observations intervals between the 1 November 2022 and 30 May 2024.
- Development of a calibrated groundwater model representing existing site conditions.
- Development of a groundwater model representing post development site conditions to assess the potential impact of the proposed development.
- Development of a temporary dewatering groundwater model to assess likely inflow volumes and drawdown impacts arising from temporary basement dewatering.

The MODFLOW NWT Solver was utilised within the 10.4.7 graphical user interface model, with an error threshold of 1% for the groundwater model.

A model domain with a 2m grid resolution was used to assess groundwater conditions. The geology model used 8 layers, comprising 7 layers of alluvium / beach sand and on underlying layer of bedrock (sandstone).

The calibrated existing conditions model is closely representative of observed groundwater level data and the conceptual model and the mass balance discrepancy of -0.0473% is well below the adopted

threshold of 1.0%. The model was therefore considered to generally represent a 'Class 2' model confidence level classification. The model has been calibrated to a Normalised Residual Mean Square (NRMS) of 8.69% using one and a half years of monitoring data collected during average climatic conditions.

6.12.7 Ground Water – Existing Environment

A groundwater dependant ecosystem (GDE) is located within the western boundary of the study area, being Cudgera Creek. A coastal wetland area is also located along the western portion of the study area as well as a littoral rainforest environment to the north-east of the site.

No groundwater dependant culturally significant sites were identified in the Tweed River Area and groundwater quality sampling was completed on the 13 January 2023.

The ground water testing indicated that surface water within Cudgera Creek is saline and slightly basic and site groundwater is fresh and moderately acidic. The groundwater tests identified elevated concentrations of zinc in all samples and copper in 2 boreholes that exceeded the default guidelines for marine water.

The aquifer has been assessed as being a highly productive alluvial groundwater source.

The observed groundwater levels indicate that groundwater at the site flows in a Westerly to North Westerly direction toward Cudgera Creek. The mean water level over the monitoring period was 1.0 to 2.5m AHD across the site. Recharge of the groundwater is primarily from rainwater.

6.12.8 Ground Water – Impact Assessment

Based on observed groundwater levels at the site, temporary groundwater dewatering will be required during the excavation and construction of the proposed basements for buildings D – G.

The model under the **Hydrological Impact Assessment (Appendix AD)** assumes that all basements will be dewatered at the same time over a 3 - 6 month period, with approximately 2.74 – 4.54 ML of groundwater to be extracted. In this case, groundwater will exceed 3 ML / year, therefore a water supply works approval and a Water Access License from Water NSW will be required prior to commencement of works on the basement. The modelling was prepared to consider the 'worst case scenario' as a precautionary approach to consider potential environmental impacts, though the staging program for the proposal, as described under **Section 6.24** of this EIS, indicates that basements will be built in stages.

Notwithstanding, the modelling has indicated that the drawdown impacts from temporary dewatering will largely be limited to the site, with no greater than 0.1m predicted outside the site boundaries. After six months any indirect groundwater impacts to the coastal wetland to the east is expected to be no greater than 0.05m and no impacts to the littoral rainforest.

Dewatered ground water will need to be managed prior to release, with several groundwater management options available such as treatment and discharge to waterways, landscape irrigation and off-site disposal.

6.12.9 Ground Water – Mitigation Measures

While the groundwater environment is well understood, a Dewatering Management Plan is recommended to be prepared as part of the detail design process and should include the following:

- Monitoring of ground water levels outside the basement evacuation areas using existing monitoring wells.
- The establishment of trigger values for groundwater level and water quality based on monitoring of existing groundwater conditions.
- Routine monitoring of groundwater quality during the groundwater extraction process to inform any treatment requirements.
- Monitoring of groundwater extraction (pumping) rates.
- A description of treatment and disposal methods.

- A trigger, action and response plan (TARP) to manage situations where trigger values are exceeded.

6.12.10 Riparian Corridor / Water Front Land

Cudgera Creek and its estuarine environment align the site to the west. This land is classed as 4th order watercourse under the *Water Management Act 2000*.

The creek / water line for Cudgera Creek has been confirmed by survey, as shown on the **Survey Plan (Appendix B)**.

Riparian corridor land, or as termed under the *Water Management Act 2000*, 'waterfront land' is measured as 40m from a 4th order watercourse. This area includes existing vegetation, as well as cleared vacant land at the site. Specific to the values within this riparian corridor:

- The flora and fauna values within this riparian corridor, including terrestrial and aquatic has been assessed in detail under the BDAR (**Appendix T**) and **Aquatic Impact Assessment (Appendix Q)**. These assessments conclude that the proposal does not present a detrimental risk to ecological values, and rather, that the proposed restoration strategies and offset strategies will result in improved ecological outcomes.
- Surface and ground water values and behaviour have been considered closely under the **Hydrological Impact Assessment (Appendix AD)** and **Stormwater Management Plan (Appendix K)**. These reports conclude that the proposal does not risk these environmental resources and will not notably change surface or groundwater conditions.

The NSW Government has issued guidelines to consider development proposed on riparian land. These guidelines are referred to as *Controlled activities – Guidelines for riparian corridors on waterfront land, 2012*. The guidelines indicate an intent to retain 40m from watercourses, free from development. The guidelines do include flexibility provisions where this cannot be met.

While the proposal does not fully meet the minimum setback distances defined for riparian corridors under the policy, the following considerations demonstrate strong alignment with the intent and flexibility built into the guidelines:

Previously Approved and Disturbed Land

- The development area forms part of a previously approved seniors housing development with a valid historical consent.
- The current proposal is essentially a redesign of previously approved stages that have a valid consent, using cleared land that has long been earmarked for similar development.

Use of Averaging Rule and Offsets

- Approximately 220m² of building footprint is proposed within the outer 50% of the vegetated riparian zone (VRZ).
- Consistent with the Averaging Rule within the Controlled Activities Guidelines, this encroachment is offset outside of the outer VRZ (refer to **Figure X** below).
- The inner 50% of the VRZ remains protected and will be revegetated with native riparian species.

Environmental Safeguards

- Comprehensive specialist reports (hydrology, biodiversity, stormwater, noise, contamination, etc.) confirm no adverse impacts to water quality, habitat connectivity, or geomorphic stability.
- Detention and stormwater systems are designed to comply with the State and local guidelines, ensuring treated runoff enters the riparian system.

Public and Strategic Benefit

- The proposal addresses an urgent local and regional need for seniors housing, consistent with the NSW Housing Strategy 2041, Ageing Well Strategy, and the North Coast Regional Plan.

- It also maximises zoned and disturbed land, reducing greenfield pressure elsewhere.

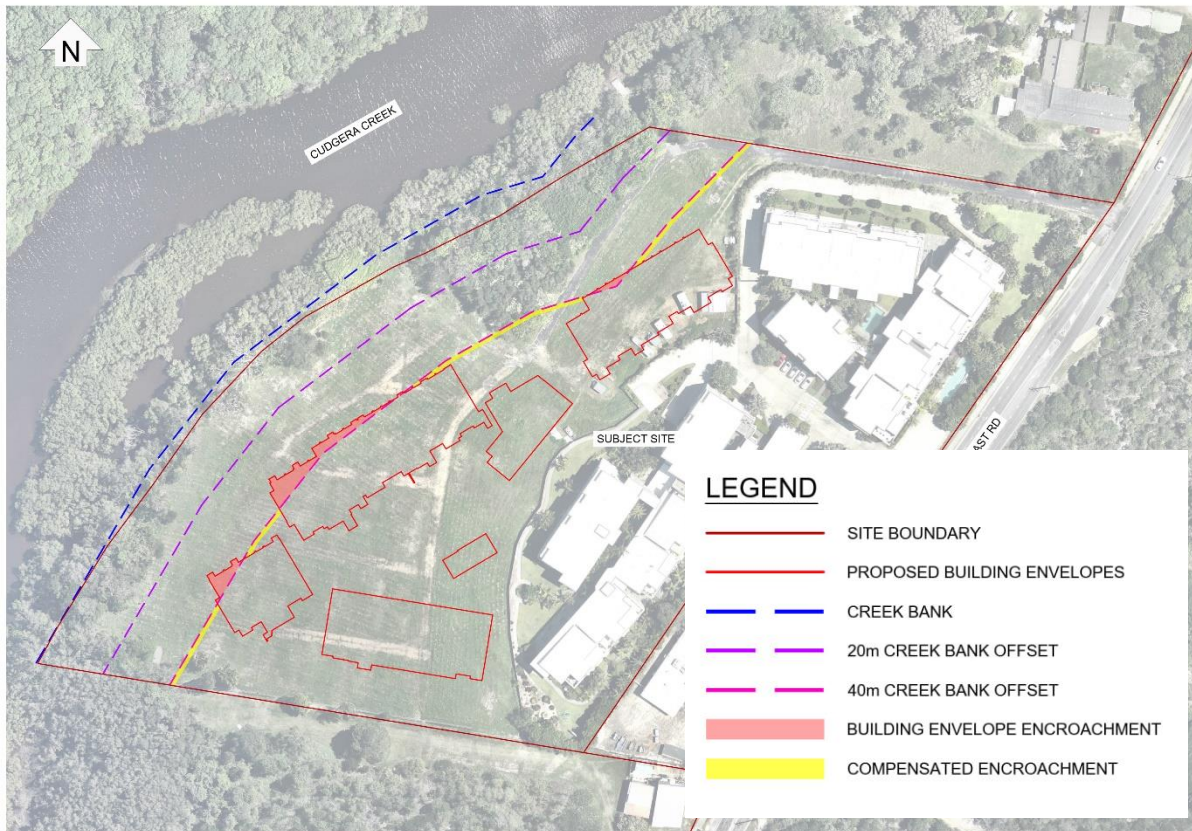


Figure 6-13 | Controlled Activity Approval - Averaging Rule (Source: Planit Consulting)

In 2021, Water NSW issued General Terms of Approval to support the proposed modification to this development being pursued by Tricare (Water NSW Reference No. IDAS1127102). This approval provides indication that while the numerical standard could not be met, Water NSW acknowledged the existing approval, inability to meet this provision without significantly undermining the existing development opportunities and improved outcomes at the site.

The proposed development, while not meeting the minimum VRZ setbacks in all areas, is compliant with the intent, objectives, and performance-based provisions of the Controlled Activities Guidelines. It avoids harm to sensitive riparian areas, applies appropriate offsets and environmental safeguards, and delivers significant community benefit in a strategically endorsed location. Approval of the controlled activity is justified and recommended under the *Water Management Act 2000*.

6.13 Stormwater & Wastewater

A **Stormwater Management Plan** and **Erosion and Sediment Control Plan** for the proposed development has been prepared by Cozens Regan Group and is enclosed within **Appendix K** and **Appendix L**. The **Stormwater Management Plan** and **Erosion and Sediment Control Plan** address item no. 14 of the SEARs, being:

14. Stormwater and Wastewater Management

- *Provide an Integrated Water Management Plan for the development that:*
 - *is prepared in consultation with the local council and any other relevant drainage or water authority.*
 - *details the proposed drainage design (stormwater and wastewater) for the site including any on-site treatment, reuse and detention facilities, water quality management measures, and nominated discharge points.*

- *demonstrates compliance with the local council or other drainage or water authority requirements and avoids adverse downstream impacts.*
- *Where water and drainage infrastructure works are required that would be handed over to the local council, or other drainage or water authority, provide full hydraulic details and detailed plans and specification of proposed works that have been prepared in consultation with, and comply with the relevant standards, the local council or other drainage or water authority.*

A summary of the key outcomes of the **Stormwater Management Plan** and **Erosion and Sediment Control Plan** are provided in the following sub-sections.

6.13.1 Methodology

The **Stormwater Management Plan** and **Erosion and Sediment Control Plan** have been developed to address the following during the construction and operational phases of the development:

- Stormwater runoff volumes and detention (Stormwater Quantity);
- Stormwater quality treatment measures (Stormwater Quality); and
- Erosion and sediment control.

The stormwater requirements for the site are governed by Tweed Shire Council's Development Design Specifications D5 – Stormwater Drainage Design and D7 – Stormwater Quality and NSW EPA Managing Urban Stormwater: Council Handbook December 1997.

The key requirements for the development's stormwater management design are summarised below and include a:

- Level 1 Assessment of the NSW EPA Managing Urban Stormwater: Council Handbook December 1997.
- Discharge parameters within the Tweed Urban Stormwater Quality Management Plan.
- Treatment of the runoff collected from the rood drainage is not required.
- Oil and Grit separator within the driveways and car parks.
- Runoff for the ARI 3-month storm is to be collected and discharged via infiltration trenches. The rate of infiltration is set at 3m/day with detention time for all captured runoff limited to 24 hours. Surge to be controlled by visible overland flow path.
- The discharge rate is to be limited to the pre-development flow rates for each catchment.

The **Erosion and Sediment Control Plan** considered air pollution, surface water pollution and ground water pollution in accordance with Tweed Shire Council requirements and NSW Department of Housing 8/98 'Managing Urban Stormwater: Soils and Construction'

6.13.2 Existing Conditions

The existing and proposed legal point of discharge is Cudgera Creek via sheet flow. The site is not subject to the influence of any external catchments.

The existing developed portion of the site has a collection system that already discharges via a pipe system to the legal point of discharge.

The catchment area of the development footprint, is approximately 11,300m² and consists of 4 surface water sub-catchment areas

6.13.3 Stormwater Quantity

The post development phase will result in increased impervious area which can result in increased runoff.

An increase in discharge for the major event, from 0.868m³/s to 1.088m³/s is in the order of a 25.4% increase. To provide a pre-development discharge rate, detention in the order of 105.6m³ would be required.

The on-site detention required for the ARI 3-month storm event on the discharge for an infiltration trench with a total floor area of 235m². Using Basha's Equation for the total storage volume to cater for the future stages of the development is calculated as 230m³ for the storm duration between 1 and 3 hours.

The onsite detention is proposed to be provided in a series of infiltration pits and drainage system comprising of property pits and stormwater lines.

6.13.4 Stormwater Quality

The controlled catchment area of 11,300m² will discharge directly to the proposed infiltration trenches. Using the deemed to comply provisions, it is proposed to provide a treatment device for the removal of suspended solids and nutrients.

The contractor / builder is responsible for the installation and maintenance of the primary control measures during the construction phase.

Maintenance of the development during the operational stage revert to the owner / business and will require:

- Regular sweeping and rubbish removal from the driveway, landscape areas and the stormwater inlets.
- Monitoring the oil and grit separator regularly and inspecting at least 3 months and after every storm event large enough to produce runoff.
- Cleaning out the oil and grit separator when the storage capacity has been reduced by 30%.
- Collect all little, cuttings and leaf litter for composting or disposal off site.



Figure 6-14 | Conceptual Stormwater Management Plan (Source: Cozens Regan Group)

6.13.5 Mitigation Measures

The **Stormwater Management Plan**, which incorporates the details discussed above regarding surface water quality and quantity management, will be refined and implemented during the detailed design and construction phase of the project. The infrastructure installed onsite will be private and remain under the ownership, control and responsibility of the landowner / operator.

In addition to the **Stormwater Management Plan**, a detailed **Sediment and Erosion Control Plan** (refer to **Appendix K** and **Appendix L**) has been prepared to ensure a holistic response to managing potential surface water and soil runoff.

The **Erosion and Sediment Control Plan** includes management measures including:

- Erect sediment fences
- Install shake down area
- Stripped topsoil and stockpile
- Excavate basements and remove surplus material
- Prepare building platforms and remove surplus material
- Construct buildings and driveways
- Geo-textile filters to be replaced with mesh filters until landscaping is complete
- Maintain all sediment devices and other interim controls regularly
- Remove sediment fences and inlet filters after establishment of landscaping

The contractor is responsible for the installation and maintenance of the sediment and erosion control measures during the construction stage.

Complaints during the construction phase relating to noise and dust shall kept by the contractor and the contractor shall act as soon as possible to remedy the problem. Complaints relating to dust shall require the contractor to immediately water the exposed earth and any soil stockpile.

Visual monitoring of all sediment and erosion devices shall be undertaken weekly or after every rain event.

6.14 Flooding Risk

This section of the EIS addresses the requirements of item no. 15 of the SEARs, being:

15. Flooding Risk

- *Identify any flood risk on-site having regard to adopted flood studies, the potential effects of climate change, and any relevant provisions of the NSW Floodplain Development Manual.*
- *Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required.*

A summary of the key outcomes of the assessments referred to above is provided in the following section.

6.14.1 Flood Assessment

The subject site is mapped as flood prone, being partially affected by the design flood, climate change events and PMF extent. The site is not, however, located within a high flow area, or a high hazard area.

All buildings are sited away from the current and draft design flood, climate change events flood extents and consequently, all buildings achieve a minimum habitable floor level above the current and draft design flood levels which are mapped at worst, at 3.1m AHD and 3.5m (including climate change).

The basement car parks have been designed to be protected with entrances above the Climate Change Habitable Floor Level ensuring they are flood immune more than the minimum requirement of 500mm above the design flood level.

The current PMF level for the site is 4.1-4.2m AHD. The draft PMF level is mapped at 4.5m AHD.

The minimum floor level for Buildings D and F are above the current and draft PMF levels.

Building G has a finished slab level of 4.050m and Building E has a finished level of 4.2m. Consequently, the 3 ground floor apartments in Building G and 8 units in Building E may be subject to minor inundation during a maximum PMF event.

PMF free access is provided from the site to the nearest emergency evacuation centre, located at Pottsville Beach Public School and or Pottsville Sports Centre, approximately 2.5km south of the site.

Given the proposed development works are largely located above the PMF level and that PMF free access is provided from the site to the nearest emergency evacuation centre at Pottsville Beach Public School and or Pottsville Sports Centre, the flood risk to life and property associated with the proposed use of the land is minimised.

6.14.2 Mitigation Measures

While minor surface regrading is proposed, the proposal does not involve any substantial filling and is considered unlikely to result in cumulative impacts on flood behaviours. No flood mitigation measures are proposed during construction.

The proposal provides the occupants with the option to either shelter in place or self-evacuate via PMF free access to the nearest emergency evacuation centre at Pottsville Beach Public School and or Pottsville Sports Centre. TriCare would update its Emergency Response Procedures that are displayed throughout the site, to ensure residents and visitors are aware of emergency response protocols for the site.

The development is not considered to adversely impact the operational capacity of emergency services during an emergency event.

6.15 Hazards and Risks

Item No.16 of the SEAR relates to Hazards and Risk being:

16. Hazards and Risk

- *Where there are dangerous goods and hazardous materials associated with the development provide a preliminary risk screening in accordance with Chapter 3 of SEPP (Resilience and Hazards) 2021.*
- *Where required by SEPP (Resilience and Hazards) 2021, provide a Preliminary Hazard Analysis prepared in accordance with Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis and Multi-Level Risk Assessment.*
- *If the development is adjacent to or on land in a pipeline corridor, report on consultation outcomes with the operator of the pipeline, and prepare a hazard analysis.*

6.15.1 Assessment

No demolition is required to facilitate the proposed development. The site is also not on or near a pipeline corridor. Hazards and risks, in the context of Item 16 under the SEARs are therefore limited to any potential for site contamination.

As detailed below within **Section 6.16** of this EIS, a PSI and DSI for the proposed development has been prepared by Martens. In summary, the subject land is not known on any contaminated land registers, nor does the land support existing uses likely to result in site contamination. The DSI conducted for the TriCare development, affirms soil and groundwater testing in targeted areas did not reveal contaminants at levels necessitating detailed remediation.

The potential for radiation risk associated with former sand mining activities has also been assessed for the site and this has been addressed in the **Acid Sulfate Soils Management Plan** by ENV Solutions (refer to **Section 6.12** of this EIS). This testing did not identify levels of radiation that require further investigation or site-specific management.

In line with Section 4.6 of the Resilience and Hazards SEPP, the testing aligns with the need to ensure the land is suitable for the proposed use. The findings confirm that no significant contamination levels were found that would require a comprehensive remediation action plan.

Thus, the existing analysis confirms minimal risk, indicating that the site is suitable for the proposed residential (seniors housing) development, with a low likelihood of contamination concerns impacting the environment.

In considering the above, the proposal is considered to satisfy the provisions of Chapter 4 of the Resilience and Hazards SEPP therefore a Preliminary Hazard Analysis is not required.

6.16 Contamination and Remediation

A PSI and DSI for the proposed development have been prepared by Martens and are enclosed within **Appendix AB** and **Appendix AC** to address item No. 17 of the SEARs, being:

17. Contamination and Remediation

- In accordance with Chapter 4 of SEPP (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.*

The PSI was completed using a desktop study, site inspection observations and review of historical aerial photography and past environmental investigations. The PSI identified several exposure pathways where receptors, located on-site and offsite could be exposed to media (soil and groundwater) affected by Contaminates of Potential Concern (COPC) and Area of Environmental Concern (AECs).

Based on the PSI findings the potential land contamination risks to human health and ecological receptors require further characterisation and it was recommended that a DSI be prepared to:

- Review previous site documentation and identify areas of environmental concern and associated contaminants of potential concern to assist in the conceptual site model for the investigation of the site.
- Quantify risks from contamination within the site by undertaking a program of soil and groundwater sampling and laboratory analysis.
- Provide commentary on land contamination within the site with respect to the proposed development and outline recommendations for additional investigations, remediation or management considering the investigation findings.

A DSI was prepared and is discussed in detail below.

6.16.1 Methodology

The scope of works for the DSI included:

- Review available online mapping
- Review available hydrogeological and groundwater information
- Review previous environmental investigations completed for the site
- Complete investigations of soil conditions via soil samples and groundwater monitoring wells and collect groundwater samples
- Laboratory analysis of soil and groundwater samples for contaminants
- Preparation of the DSI in accordance with the relevant guidelines.

As noted previously under this EIS (refer to **Section 6.12**) the potential for radiation risk associated with the former mining activities has also been assessed for the site (refer to **Appendix J**).

6.16.2 Existing Environment

The existing environmental site settings are summarised as follows:

- **Topography** – Elevation of the site ranges from approximately 2.0 to 6.0m AHD with slopes declining to the West, towards Cudgera Creek.
- **Geology** – Based on geological mapping the site consists of estuarine interbarrier creek deposits, coastal beach ridge deposits and coastal dun deposits.
- **Soil Landscape** – Based on the eSPADE platform, the site consists of Bobanger soil landscape and Cobaki (variant a) soil landscape
- **Acid Sulfate Soils** – eSPADE ASS risk mapping indicates the site as having low ASS occurrence 1 – 3m below ground surface, with ASS at elevation of 2 – 4m AHD.
- **Surface Hydrology** – Drainage is likely to occur by a combination of direct infiltration and overland flow to Cudgera Creek.
- **Nearest Surface Waterbodies** – Cudgera Creek – 35m West and South Coral Sea – 250m East.

The existing hydrological site settings as summarised as follows:

- **Aquifer Type** – BoM database indicates that Hastings Point consists of porous, extensive aquifers of high productivity and an upper aquifer in coastal sediments.
- **Depth of Groundwater** – 3.25 to 3.63 mBGL
- **Hydraulic Conductivity** – 0.23 – 4.19m/day
- **Groundwater Salinity** – TDS less than 3,000mg/L and 289 to 389 us/cm, indicating non saline groundwater
- **Groundwater pH** – 4.0 to 5.0 pH, indicating very strong acid groundwater conditions
- **Groundwater Flow Direction** – North-West towards Cudgera Creek

A total of 6 licensed groundwater bores were identified within a 500m radius of the site. The standing groundwater level was reported between 3.5 – 5.2m below ground level in the bore card reports.

The site has been subject to heavy mineral sand mining in the 1960s, with the land rehabilitated in the 1970s. By the 1980s a caravan park / mobile home park was established on the site, with most structures demolished and removed from the site by 2023.

6.16.3 Assessment

A conceptual site model was used to assess the potential areas of environmental concern and contaminates of potential concern for the site. This identified a number of potential contaminate sources and contaminate of potential concerns from fill materials, former buildings and structures, vehicle parking and off-site sources.

The soil investigation and sampling event was completed from 29 July to 1 August 2024. A total of 34 test locations on an approximate 26m sampling grid were undertaken to a depth of 0.5m into natural soil or prior refusal. Fill material was observed at each test pit location, generally extended to depths of between 1.0 to 1.7 mBGL and typically consisted of grey to dark grey and brown to yellow brown silty sand to sand. The results of the laboratory analysis were assessed in a NATA accredited laboratory against the relevant NEPC 2013 criteria for soils and are summarised below:

- Low concentrations of metals and organic contaminants (PAHs, pesticides, BTEXN, TRHs and PBCs) were identified in targeted fill soils. Contaminate concentrations in fill were reported either <L:OR or below adopted SAC criteria and limits.
- The overall chemical data indicated fill soils are unlikely to be significantly contaminated by past activities and land use of the site.
- Asbestos or PACM was not identified in examined fill spoil or samples.

The 3 groundwater monitoring wells previously installed in October 2022 were used including water level gauging, purging, field testing and sampling conducted on the 1 August 2024. Groundwater seepage was encountered at several test pit locations during the investigations, ranging between 1.20 to 2.0 mBGL. The results of the laboratory analysis were assessed in a NATA accredited laboratory against the relevant NEPC 2013 criteria for soils and are summarised below:

- Ground water reported strong to moderately acidic and fresh (non-saline) with typically low concentrations of dissolved metals, some marginally exceeding the ecological GILs with organic concentrations below LOR and GILs.

- Background groundwater entering the site reported concentrations of metals and organics that were consistent with levels reported in other wells.
- The wells didn't identify organics / petroleum hydrocarbons entering the site from the service station.

The findings of the investigation did not identify evidence of soil or groundwater contamination at levels likely to pose risks to human health and ecological receptor associated with the proposed development.

6.16.4 Mitigation Measures

Based on the findings of the **Detailed Site Investigation**, risk to future human health and ecological receptors and the proposed development are low, subject to the following:

- Construction Environmental Management Plan
- Waste classification in accordance with NSW EPA Waste classification Guidelines to facilitate offsite disposal of soil.
- A Groundwater Dewatering Management Plan to address potential groundwater risks during the construction of the basements. A Dewatering Management Plan has been included within the **Hydrogeological Impact Assessment**.

6.17 Waste Management

This section of the EIS provides a detailed summary of the **Waste Management Plan** prepared by HMC Environmental Consulting (refer to **Appendix Z**). The **Waste Management Plan** has been prepared in accordance with the requirements of item No. 18 of the SEARs, being:

18. Waste Management

- *Identify, quantify and classify the likely waste streams to be generated during construction and operation.*
- *Provide the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.*
- *Identify appropriate servicing arrangements for the site.*
- *If buildings are proposed to be demolished or altered, provide a hazardous materials survey.*

A summary of the key outcomes of the **Waste Management Plan** is provided in the following sub-sections.

A Hazardous materials survey is not required as no buildings are proposed to be demolished or altered (refer to **Section 6.15** of this EIS).

6.17.1 Construction and Demolition Waste

Resource recovery centres in the Tweed Shire and Gold Coast areas indicated that 80-90% of construction waste can be recycled. The excavation of the basement car parks would generate significant VENM for disposal off-site, with trucks used to remove the material to an approved landfill facility or other approved site as engineered fill.

Skip bins (6m³) are proposed to be used in conjunction with the tower crane and Preston hire super deck (or similar) for upper floors.

During construction, the induction should include information on waste streams, waste storage and recycling.

Waste monitoring to be carried out on a weekly basis by the project site manager during construction.

6.17.2 Operational Waste

General waste and recycling generation estimated for the proposed development are detailed in the **Waste Management Plan** (refer to **Appendix Z**).

In summary, Buildings D - G are estimated to generate 8,214L of general waste and 4,142L of recycling waste per week based on Tweed Shire Council's waste generation rates (refer to Figure 6-15).

For the purposes of this development the waste will be sorted into general waste, recycled waste and organic waste. Waste is proposed to be sorted within each unit, with a garbage chute for general waste in each building. The recyclables and organic waste will be transported to the waste storage areas within the basement.

The inclusion of organic waste collection and servicing will divert organic waste from the general waste storage and makes the proposed waste management for the development a conservative overdesign.

Construction of the waste storage area would be in accordance with Part A15 of the Tweed DCP 2008. Each structure will have its own dedicated waste refuse rooms in the basement carpark (Building E – G) or Ground Floor (Building D). The waste storage areas have been designed to be weatherproof and well ventilated, with ease of access for all residents and staff. Cold water will be provided to each storage area to allow for the regular cleaning of the bins and the storage rooms. The floor will be graded to ensure all wastewater is discharged into a sewer connection point. The regular cleaning of the receptacles and storage area will minimise odour produced from the bins.

The general waste and recycled waste bins will be 360L wheelie bins and the organic waste bins 240L wheelie bins, collected once a week. The recommended waste storage / servicing for each building is provided in figure ... below. An additional 240L wheelie bin will be located within each refuse room to be placed under the garbage chute during collection periods. The service days will be staggered during the week to ensure adequate room for the side lift collection vehicle to service all bins.

All bins, collection facilities will be clearly marked with labels, colour coding, symbols and works to be consistent with garbage storage areas within the Tweed Shire.

Table 7 Recommended Waste Storage/Servicing - Occupation

Location	Waste Type	Estimated waste generation (L/week)	Proposed Receptacle Size at Collection Point ⁽²⁾
Building D (RAC)	General Waste	4134	1 x 3m ³ bulk bin & 1 x 1100L MGB serviced weekly
	Co-Mingled Recyclables	2102	2 x 1100L MGBs serviced weekly
	Organic Waste	Optional ⁽¹⁾	2 x 240L MGBs serviced weekly
Building E (ILU)	General Waste	1920	6 x 360L MGB serviced weekly
	Co-Mingled Recyclables	960	3 x 360L MGBs serviced weekly
	Organic Waste	Optional ⁽¹⁾	2 x 240L MGBs serviced weekly
Building F (ILU)	General Waste	1440	4 x 360L MGB serviced weekly
	Co-Mingled Recyclables	720	2 x 360L MGBs serviced weekly
	Organic Waste	Optional ⁽¹⁾	2 x 240L MGBs serviced weekly
Building G (ILU)	General Waste	720	2 x 360L MGB serviced weekly
	Co-Mingled Recyclables	360	1 x 360L MGBs serviced weekly
	Organic Waste	Optional ⁽¹⁾	1 x 240L MGBs serviced weekly

(1) State government recently advised organic waste streams would be targeted in new policy and funding opportunities

(2) Estimate Only - final bin configuration and servicing would depend on final occupancy.

Figure 6-15 Waste Storage / Servicing (Source: HMC Environmental Consulting)

Temporary hardstand collection points have been proposed onsite for the servicing of all nominated bins. Proposed Building E will be serviced by a collection area to the south of Building D adjacent to the internal access roadway. Proposed Buildings G and F will be serviced by a collection area adjacent south of both structures.

A waste manager/maintenance person or person coordinated by the body corporate will be responsible for transporting all bins from the basement carpark to the collection points and returning them to the storage area after servicing. A number of transport methods are available to traverse the steep driveway with the bins, including trailers attached to a vehicle. The proposed waste receptacles are easily manoeuvrable to load onto a vehicle trailer. An additional 240L MGB will be available in every refuse room to be placed under the garbage chutes during collection periods to ensure all waste is captured, as well as all residents being informed of when collection is taking place. The service days will be staggered to ensure there is adequate room for the side-lift collection vehicle to service all bins while minimising internal traffic flow within the property.

Building D has been designed in which the waste service vehicle can pull up adjacent to the proposed refuse on the eastern side of the ground floor and service the bins. A waste manager/maintenance person or person coordinated by the body corporate will be responsible for transporting all bins to the nominated collection point in the adjacent parking area and returning the bins to the refuse following servicing.

Ongoing regular monitoring would be undertaken by the waste supervisor or person coordinated by the body corporate, management / staff, maintenance staff and waste contractors.

6.17.3 Waste Vehicle Access and Loading

As detailed within the **Traffic Impact Study** by Planit Consulting, a private contractor will service the bins from within the suite. The largest waste collection vehicle (HRV) which can service the nominated waste pickup points on site is able to enter and exit the site in forward gear and access all proposed waste storage areas provided throughout the development site for each building.

A waste manager /maintenance person or person coordinated by the body corporate will be responsible for transporting all bins to and from the basements and collection points. A vehicle trailer can be used to transport the bins via the driveway.

6.17.4 Mitigation Measures

During demolition:

- Engage a competent person to undertake a destructive hazardous materials inspection of the premises as per relevant Legislation, Codes of Practice and Australian Standards;

During construction:

- During construction, the induction to include information on waste streams, waste storage and recycling.
- The site manager to oversee waste collection activities in accordance with the **Waste Management Plan**.
- Waste volume monitoring carried out by the waste contractor.
- If hazardous materials are encountered, the relevant contractor will be required to implement a standard Unexpected Findings procedure

During operations:

- The waste supervisor will be responsible for the following regular tasks to be completed:
 - Maintaining the storage area in a clean and organized manner.
 - Cleaning of the bins and storage areas.
 - Ensure the bins are returned to the correct waste storage locations.
 - Monitoring the waste contractor's performance and review of the **Waste Management Plan** if required.
- Information and awareness signage will be provided within all waste storage area.

6.18 Aboriginal Cultural Heritage

An **Aboriginal Cultural Heritage Assessment Report** (ACHAR) has been prepared by Heritage Management and Planning for the proposed development which is enclosed within **Appendix N**. The ACHAR has been prepared to address item no. 19 of the SEARs, being:

19. Aboriginal Cultural Heritage

- *Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts on any Aboriginal cultural heritage values on the land.*

The ACHAR has been prepared in accordance with the Code of Practice for the Archaeological Investigations of Aboriginal Objects in NSW and the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW.

A summary of the key outcomes of the assessment is provided in the following sub-sections.

6.18.1 Consultation Process

The consultation process was undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010. A total of 3 Aboriginal people and organisations registered an interest in being consulted regarding the project. The registered Aboriginal parties (RAPs) for the project were as follows:

- Jackie McDonald
- Paul Buxton
- Tweed Byron LALC (Maurice Gannon)

The RAPs were provided with the assessment methodology (10 November 2023), undertook a pedestrian survey of the site on the 24 November 2023 and a draft ACHAR was provided on the 21 December 2023. An overview of the consultation process is provided with the **Aboriginal Consultation Report (Appendix P)**.

6.18.2 Assessment

Aerial photos from 1961 to 1991 revealed that the site has been subject to significant ground disturbance from sand mining / extraction, remediation and revegetation and then a holiday park.

A search in the Aboriginal Heritage Information Management System (AHIMS) on the 20 August 2023 indicated no aboriginal sites are located within the vicinity of the subject site. The site is also not identified as a place known or predictive Aboriginal cultural heritage in the Tweed Shire Aboriginal Cultural Heritage Management Plan.

A review of various archaeological investigations and studies of the local and regional area were undertaken. A pedestrian survey was conducted with the 3 RAPs on the 24 November 2023. Based on the assessment, consultation and investigations, a summary of the ACHAR statement are as follows:

- The site is located within an area known to contain Aboriginal objects such as shell middens and stone artefacts scatters which are common for the estuaries and headlands for the Northern Rivers.
- Previously recorded sites around Hastings Point have been determined to be of moderate-high social-cultural and scientific significance.
- The site does not contain any previously recorded sites, and the site inspection confirmed that there was not high likelihood that shell middens, burials or ceremonial site would occur within the development footprint.
- The investigations identified that the former sand mine and caravan park have resulted in ground disturbance that would have reasonably affected any Aboriginal archaeological site should it have existed.
- The banks of Cudgera Creek, which is identified as having the potential for shell middens will be retained in an environmental and fire protection zone.

- It is not considered that an excavation with a sample strategy of 0.5% of the site would result in the identification of any Aboriginal archaeological site with potential conservation value that could not be avoided if it was located during civil works.

The site is not a significant part of the Aboriginal cultural heritage landscape of the lower Tweed Valley and a summary of the statement of significance is as follows:

- Aboriginal shell midden is not visible on the banks of Cudgera Creek.
- The site has been subject to a relatively high degree of ground disturbance from sand mining and caravan park.
- There are no known ceremonial, spiritual or historic sites identified by the RAPS during the assessment.

Therefore, it was concluded it is reasonable to proceed with the assessment on the basis that it is not likely that the proposed development will have a significant impact on the Aboriginal archaeological or cultural landscape.

6.18.3 Mitigation Measures

The site is considered unlikely to impact on Aboriginal cultural heritage values and therefore no specific mitigation or management options have been proposed. In response to the findings of the ACHAR the following recommendations were made to be included within an Aboriginal Heritage Management Plan that can be prepared and implemented at the detailed design and construction phases of the project:

- **Cultural induction** – A cultural induction for all contractors involved in the early works and rehabilitation works within the environmentally protected areas.
- **Open space collaborative design** – Design of the open space including public and environmental management should be undertaken in collaboration with representatives of the Aboriginal community.
- **Unexpected find procedure** – If it is suspected that Aboriginal stone artefacts or human remains are located, procedures are provided, and works can only recommence with agreement from all statutory obligations and documented as part of an amended Aboriginal Heritage Management Plan.

The above mitigation measures can be implemented to ensure a satisfactory outcome is achieved if any Aboriginal Archaeological material is encountered on the site during construction.

6.19 Environmental Heritage

This section of the EIS addresses item No. 20 of the SEARs, being:

20. Environmental Heritage

- *Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.*

The site does not contain or adjoin any known heritage items. It is not in an area that is mapped for heritage conservation.

The history of the site and area, AHIMS records, Tweed Shire Council's Cultural Heritage Management Plan and the **Aboriginal Cultural Heritage Assessment Report** prepared by Heritage Management and Planning for this proposal (refer to **Appendix N**) indicate that any likelihood for the land to contain items of cultural significance is low.

6.20 Social Impact

A **Social Impact Assessment** has been prepared by HillPDA Consulting for proposal and is enclosed within **Appendix U**. The **Social Impact Assessment** addresses item no. 21 of the SEARs, being:

21. Social Impact

- *Provide a Social Impact Assessment prepared in accordance with the Social Impact Assessment Guidelines for State Significant Projects.*

A summary of the key outcomes of the assessment is provided in the following sub-sections.

6.20.1 Methodology

The **Social Impact Assessment** has been prepared in accordance with the:

- NSW's Department of Planning and Environment Social Impact Assessment Guideline;
- Tweed DCP 2008, Section A13 provides guidance on the preparation of Socio-economic Impact Assessments; and
- Industry best practice.

The study area has been defined as Hastings Point, with Tweed LGA.

The potential social impacts that were investigated within the **Social Impact Assessment** were categorised within the following impact types:

- Community Networks
- Public Realm
- Housing
- Human Services
- Access

6.20.2 Social Baseline Study

The Index of Relative Socio-economic Disadvantage (IRSD) examines factors such as unemployment, proportion of lower income, lower education levels or lack of internet levels. The site is within an IRSD ranking in the fourth decile, indicating moderate levels of disadvantage.

Bureau of Crime Statistics and Research (BOCSAR) showed Hastings Point had almost no crime in the year to March 2024, with crime limited to a small number of incidents.

The social infrastructure located in the study area included the following:

- Hastings Point Foreshore – Park with playground, benches and BBQ
- Hastings Point Headland – Open space with tress
- Marine Discovery Hastings Point – Marine and coastal science museum

The key social insights for the study area of note are the following:

- A median age of 67 in 2021, with over half the residents being over the age of 65, which is double that of the rest of NSW.
- A much smaller proportion of persons in the study area (1.2%) spoke a language other than English at home than the rest of NSW (8.4%).
- 11.6% of residents required assistance with core activities, higher than the 6.8% of the rest of NSW.
- A smaller proportion of residents were born in Australia in the study area (71.9%) than in the Rest of NSW (81.3%).
- Less residents lived in detached housing (53%), and more lived in flats/apartments (32.1%) compared to the rest of NSW (82.3% and 6.3%, respectively).
- A median weekly household income (\$744) which was lower than that of the Rest of NSW (\$1,434 per week) in 2021.

- A higher percentage of residents were under housing stress than across the Rest of NSW
- Moderate levels of socio-economic disadvantage.
- No crime hotspots identified beyond an 800m radius of the site.
- Due to its location within a rural setting, there is limited social infrastructure in proximity to the site.

6.20.3 Social Impact Assessment

Table 6-6 provides a summary of the key social impacts identified by HillPDA, arising from the proposed development. Further details including the importance and level of concern to community stakeholders, proposed mitigation approach and significance of residual impacts is provided in the **Social Impact Assessment** report.

Table 6-6 | Social Impacts (Source: HillPDA)

Social Impact	Response
Community Networks	The potential impacts during construction identified, the way of life and community wellbeing (access arrangements) and potential impacts to Aboriginal and non-Aboriginal cultural heritage. To mitigate these potential impacts, the following plans have been prepared: - Construction Environmental Management Plan - Construction Traffic Management Plan - Aboriginal Cultural Heritage Assessment Report During operation increased community cohesion from new amenities and social activities, allowing new residents opportunities to form new connections. The proposal incorporates communal facilities (bowling green, pool pavilion, and walking trail) and social committees would organize social activities and excursions.
Public Realm	The potential impacts during construction to nearby residents include noise, dust, odour and vibration. To mitigate these potential impacts, the following plans have been prepared: - Construction Environmental Management Plan - Construction Traffic Management Plan - Noise Impact Assessment The enhancement of the open spaces and visual amenity through the design, landscaping and revegetation. A Visual Impact Assessment by Envisage Consulting has identified that the proposed buildings are comparable to the existing TirCare development and are also out of site from the public domain. The proposal includes the retention of most vegetation on site in addition to proposed revegetation and extensive landscaping.
Housing	The proposal represents increased housing options for seniors within the Tweed area, allowing more residents to 'age in place', near familiar amenities, friends and family increasing social cohesion and community health.
Human Service	The proposal increases the supply of aged care beds and supportive services for high need seniors.
Access	Additional vehicle and truck movement during construction may increase congestion on surrounding roads, impacting residents and

Social Impact	Response
	business in the area. A Construction Traffic Management Plan has been prepared to minimise potential traffic and amenity impacts during the construction stage. The proposed development has the potential to impact accessibility due to the increased number of residents and staff to the site. The Traffic Impact Study found that the intersection performance is not expected to worsen and the level of service for both through traffic and traffic entering the site remains optimal under all modelling scenarios.
Social Infrastructure	There are extensive communal facilities provided onsite already, with a greater provision proposed under the SSD Application. Health, food and living services are also provided onsite. The existing pathway links from the site to the town centres of Hastings Point and Pottsville as well as the onsite and adjacent bus services also link residents to the surrounding social infrastructure, including commercial uses, open space and recreational facilities.

6.20.4 Mitigation Measures

The following is a list of mitigations measure recommended within the **Social Impact Assessment**:

- Implementation of the construction and environmental management plans submitted with and referred to throughout this EIS.
 - The Construction Environmental Management Plan (**Appendix AM**) incorporates management strategies discussed under the various reports referred to under this EIS into 1 guidance document. This document may be updated to address any conditions of consent or alterations to the proposal.
- Operation of the facility in accordance with an Operational Management Plan with details such as:
 - emergency evacuation procedures and alarm systems; and
 - complaints handling.

6.21 Infrastructure Requirements and Utilities

Existing and proposed servicing and network utility arrangements for the site are detailed in the **Civil Engineering Report** prepared by Cozens Regan Group This report is enclosed within **Appendix M** and addresses item No. 22 of the SEARs, being:

22. Infrastructure Requirements and Utilities

- *In consultation with relevant service providers:*
 - *assess the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.*
 - *identify any infrastructure required on-site and off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained.*
 - *provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development.*

A summary of the key outcomes of the assessment is provided in the following sub-sections.

6.21.1 Existing Infrastructure

The site is currently supplied by a 200mm main within the western verge of Tweed Coast Road, which forms part of Tweed Shire Council's potable water reticulation network. A water service connection from this main is already in place, supplying the existing development.

A 150mm diameter Council gravity sewer main is located within Tweed Coast Road at the front of the site. The existing development includes a private sewer pumping system located to the northeast, which discharges through a private rising main to a property connection at the northeast corner, linking to the Council sewer.

Existing connections are also in place for Essential Energy and Telecom domestic services provided via underground and overhead reticulation which run in front of the site within the Tweed Coast Road reserve.

6.21.2 Assessment

The proposed development will be serviced via private extensions to existing mains as well as an additional sewer pump within the site. This will be delivered at the developer's cost.

There have been no concerns regarding servicing capacity within the existing network raised by Council, Essential Energy or Telstra. The proposal results in the reduction in the total number of equivalent persons on site from what was approved under the existing Development Consent for the site, being DA06/0413.

In this regard, a detailed infrastructure delivery and staging plan is not considered necessary. The extension to services within the site would be coordinated with the broader staging of the development, which is discussed under **Section 6.24** of this EIS below.

6.22 Bushfire Risk

Item No.23 of the SEARs relates to Bushfire Risk and requires the preparation of a Bushfire Assessment in certain circumstances. Specifically, item no.23 states:

23. Bushfire Risk

- *If the development is on mapped bush fire prone land, or a bush fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection.*

A **Bushfire Hazard Assessment** has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited to address this item in the SEARs (refer to **Appendix I**). The following provides a summary of the **Bushfire Hazard Assessment**.

6.22.1 Methodology

Seniors housing is a listed Special Fire Protection Purpose (SFPP) development under Section 100B of the *Rural Fires Act 1997*.

SFPP development is assessed under Chapter 6 'Special Fire Protection Purpose Developments' of *Planning for Bush Fire Protection 2019* (PBP).

A detailed site inspection was undertaken on the subject site on the 22 August 2023. In addition to the collected site data the assessment has relied on:

- Aerial imagery of the subject area.
- 1m contour mapping of the subject area.
- NSW Planning Portal Spatial Viewer
- Vegetation Mapping.

6.22.2 Assessment

The vegetation identified as posing a hazard was found to be located to the north, south and west of the site within neighbouring allotments, Council reserves and the subject site.

The minimum required APZs for new SFPP development were determined from the Table A1.12.1 of PBP to be 56m to the north, 50m to the south, 79m to the southwest and 47m to the west.

These APZs encroach the existing Stage 1 development at the site as well as the remaining approved stages. The existing allotment configuration and environmental constraints precludes the ability to provide these APZs at the site.

Due to the site's unique characteristics, pre-application advice was sought from the NSW RFS and their advice is attached within the **Bushfire Hazard Assessment**.

It was agreed with the NSW RFS that the proposal can be assessed as an existing SFPP facility under Section 6.4 'Development of Existing SFPP Facilities' of PBP. The focus of assessment has been to provide a better bushfire safety outcome and improved environmental outcomes for the existing and proposed development.

The proposed bushfire protection measures are summarised as follows:

- **Reduction in occupants** – The proposed development results in the reduction of ILUs and aged care beds when compared to the existing approval.
- **Improved APZs (exceeding the APZs in the approved application)** – The original approval included APZs of 20m to the north and 15m to the south and west. The proposed APZs are a minimum of 31 to the north, 16m to the south and 18m to the west. The new design also consolidates 2 approved buildings to ensure they are outside the previously approved APZs and Flame Zone area.
- **Installation of a hydrant system confirming to AS2419.1** – Consistent with the minimum requirement of PBP 2019.
- **Improved on site vehicle access for fire appliances (including provision of a perimeter road / fire trail adjacent the hazards)** – The revised design includes a 4m wide emergency access track on the Western side, removes a long dead-end on the Southern side and incorporated a loop arrangement with compliant internal access road.
- **Implementation of a comprehensive Bushfire Emergency Management Plan (delivered prior to Occupation Certificate)** – To comply with Table 6.8b of PBP.
- **All building works to comply with the corresponding Bushfire Attack Level under AS3959 – 2018** – Proposed building works to comply with the corresponding Bushfire Attack Level, noting a highest rating of BAL 40.

Based on the reduction in capacity and additional bushfire protection measures, the proposal provides better safety outcomes than the approved development and affords occupants a greater level of protection and safety.

6.22.3 Mitigation Measures

The following recommendations (mitigation measures) are made within the **Bushfire Hazard Assessment**:

- **APZs** – All areas outside the Core Rehabilitation Zone shall be managed as an inner protection area (IPA) and landscaping shall comply with the recommendations of the report and PBP.
- **Construction** – Building G to be constructed in accordance with BAL 40, Building F in accordance with BAL 29 and Buildings D and E to BAL 19 requirements of AS3959 and all building constructed in accordance with Section 7.5 of PBP.
- **Emergency management** – A Bushfire Emergency Management and Excavation Plan to be prepared prior to occupation.
- **Services** – Electrical, gas and water services to comply with relevant standards.
- **Access** – All internal roads are to comply with PBP and the proposed fire trail to comply with relevant requirements.



Figure 6-16 | Bushfire Analysis (Source: Building Code & Bushfire Hazard Solutions)

6.23 Aviation

Item No.24 of the SEARs requires the preparation of an Aviation Report in certain circumstances. Specifically, item no.24 states:

24. Aviation

- *If the development proposes a helicopter landing site (HLS), assess its potential impacts on the flight paths of any nearby airport, airfield or HLS.*
- *If the site contains or is adjacent to a HLS, assess the impacts of the development on that HLS.*

The proposed development does not include a helicopter land site. The closest helicopter landing site is a significant distance away at Burringbar Sports Club

The subject site is also located a significant distance from the nearest airfield and is not within an area mapped as being subject to aircraft noise.

Therefore, this SEARs requirement is not applicable to the proposed development, no further assessment is required, and no mitigation measures are proposed.

6.24 Construction, Operation and Staging

Item No.25 of the SEARs requires staging details to be provided, specifically:

25. Construction, Operation and Staging

- *If staging is proposed, provide details of how construction and operation would be managed and any impacts mitigated.*

Staging Plans have been prepared by Arqus Design and are presented in the **Architectural Plans** enclosed within **Appendix A**. The proposed development will be constructed in 4 stages in accordance with **Figure 6-16** below.



Figure 6-17 | Staging Plan (Source: Arqus Design)

A summary of the proposed 4 stages of the development is below:

- **Stage 1** – Vehicle access, visitor car parking and Building E and the emergency access track.
- **Stage 2** – Buildings G and F and additional visitor car parking.
- **Stage 3** – Communal facilities in the form of Bowls green and pavilion and Pool pavilion
- **Stage 4** – Building D

As detailed under **Section 6.9** of this EIS, no physical work is required within the existing Stage 1 development footprint. This includes the existing driveway crossing to Tweed Valley Way and the internal driveway, which are not required to be altered / upgraded. Equally, large construction vehicles and most construction vehicles can access the development site via the existing track, that sits within the site though north of the existing Stage 1 development. This means, that existing Stage 1 can remain operational while construction work is completed at the rear of the site. No detailed operational staging plan is required in this regard.

6.24.1 Construction Hours

Construction works will generally be scheduled to:

- Monday to Friday - 7.00am to 6.00pm
- Saturdays - 8.00am to 1.00pm
- Sundays - No work
- Public Holidays - No work

While every effort will be made to schedule work during the standard hours, construction may be necessary outside these hours in certain situations, including:

- The delivery of oversized equipment or structures;
- Where a road occupancy licence is required for an activity likely to impact traffic flow;

- Emergency works; and
- Public infrastructure works.

6.24.2 Mitigation Measures

As discussed in **Section 6.9, 6.11, 6.12** and **Section 6.13** of this EIS, the following measures will be implemented to maintain the safety and amenity of residents, visitors and staff during construction:

- Appropriate fencing, separation and protection measures;
- Traffic management to separate heavy vehicle movements from resident movements; and
- Construction management of potential offsite impacts, including dust, noise and vibration.

6.25 Contributions and Public Benefit

Item No.26 of the SEARs requires an assessment of any relevant contributions and public benefits to be provided, specifically:

26. Contributions and Public Benefit

- *Address the requirements of any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind and include details of any proposal for further material public benefit.*
- *Where the development proposed alternative public benefit or a departure from an existing contributions network, the local Council, the Department and relevant State agencies are to be consulted prior to lodgement and details including how comments have been addressed, are to be included.*

As discussed under **Section 4** of this EIS, this SSD has been made without entering into any voluntary planning agreements, negotiated agreements, or benefit sharing schemes.

It is also discussed under **Section 5** of this EIS, that while the existing Development Consent that applies to the site includes condition of consent that relate to public works and land dedication, there is no provision under the contemporary planning framework that stipulates this work being required or having public benefit. In this regard, this work does not form part of the proposed development.

Tweed Shire Council has several contribution plans under Section 7.11 of the EP&A Act that are applicable to the subject site.

There is no reference under Council's contributions plan that indicate seniors housing or social housing providers would be charged at different contribution rates to other residential development.

Notwithstanding, it is noted that DPHI has referenced the Ministerial Direction dated 14 September 2007 under its assessment to other recent seniors housing projects. These assessments indicate the Ministerial Direction exempts payment of development contributions for seniors housing when provided by a social housing provider.

TriCare is a social housing provider as defined under the Housing SEPP, being a not-for-profit organisation that is a direct provider of rental housing to tenants. The RAC, all ILUs and associated uses, meet the definition of seniors housing.

Applying a similar approach to other applications, the proposed seniors housing development may be determined exempt from the payment of development contributions.

6.26 Engagement

Item No.26 of the SEARs requires an assessment of any relevant to engagement, specifically:

27. Engagement

- *Detail engagement undertaken and demonstrate how it was consistent with the Undertaking Engagement Guidelines for State Significant Projects. Detail how issues raised, and feedback provided have been considered and responded to in the project. In particular, applicants must consult with:*
 - *The relevant Department assessment team.*

-
- *Any relevant local Councils.*
 - *Any relevant agencies (including the Western Parkland City Authority for development within the Western Parkland City).*
 - *The community.*
 - *If the development would have required an approval or authorisation under another Act but for the application of s. 4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&A Act, the agency relevant to that approval or authorisation.*

Reference should be made to **Section 5 of** this EIS, which details the engagement activities undertaken for the proposal in accordance with Undertaking Engagement Guidelines for State Significant Projects and how stakeholder feedback has informed the proposal.

7 Project Justification

This section provides a justification for the project. It provides an assessment of the benefits and impacts of the proposed development based on the findings of the detailed assessments summarised in **Section 6** and enclosed as appendices to the EIS. Consideration is also given to the compliance of the proposed development with relevant statutory requirements, strategic policies and guidelines.

The proposed development is well justified for the reasons set out below.

7.1 Strategic Context

As detailed in **Section 2** of this EIS, the proposed redevelopment of this site for seniors housing is consistent with the State and local strategic objectives, including:

- Housing 2041: NSW Housing Strategy – ensuring that all people, at all stages of their lives, will be able to access the right type of housing with the best support,
- Ageing Well in NSW: Seniors Strategy 2021-2031 – Supporting age-friendly environments and providing for additional housing options,
- Connecting with Country – celebrating and acknowledging the Aboriginal significance of the site,
- A 20-year Economic Vision for Regional NSW – delivering housing and lifestyle opportunities in population growth areas
- North Coast Regional Plan – delivering housing density in the right location, as identified under the Regional Plan's Urban Growth Boundary,
- Tweed Regional Economic Development Strategy 2023 Update - provides an important contribution towards delivering and achieving the policy initiatives,
- Tweed Local Strategic Planning Statement - responding to the identified challenges and established vision of the Tweed LSPS, proposing significant investment, aged care services and housing within a site approved for seniors housing provision,
- Hastings Point Locality Based Code - delivering housing on a site approved for intensive development, though in a format that is out of site from the public domain and therefore being compatible with the area's existing and planned character.

7.2 Statutory Context

As detailed in **Section 4** of this EIS, the proposed development is consistent with the relevant statutory framework, demonstrating:

- Consistency with the objects of the EP&A Act;
 - Promotes the social welfare of the community, through quality seniors housing provision on urban land without detrimental impacts to sensitive environments and other resources;
 - Demonstrates orderly and economic development, through the delivery of permissible and necessary development on land that has been approved for seniors housing provision;
 - Allows for additional employment opportunities during the life cycle of the development; and
 - Promotes quality design and amenity of the built environment.
- Permissibility under the Housing SEPP and Tweed LEP 2014;
- General consistency with the Housing SEPP, Seniors Housing Design Guide, ADG, Tweed LEP 2014 and the built form controls under the DCP, notwithstanding the proposed height variations;
 - A full assessment against the provisions is provided in **Chapter 4** of this EIS, the **Clause 4.6 Variation Request** and the **Architectural Design Report**, demonstrating general compliance with the relevant controls;

- Consideration of the *Biodiversity Conservation Act 2016* including preparation of a BDAR to support the application;
- Incorporation of ESD principles in the design.
 - The proposed development is designed and oriented in line with passive design principles to harness solar access, provide opportunities for natural ventilation and reduce reliance on non-renewable energy;
 - In addition to achieving mandatory BASIX compliance measures, the proposal has pursued further sustainability initiatives, including use of solar panels, considered selection of sustainable and low carbon material choices, and endemic/native landscape design.

As noted above, the proposed development seeks to vary the maximum permitted height controls as stipulated under the Tweed LEP 2014 to facilitate the proposal.

The proposed development is supported by a **Clause 4.6 Variation Request**, detailing the environmental planning grounds for the variations sought (refer to **Appendix A1**). The report addresses the overall height of the proposed development with reference to the technical documentation submitted as appendices to this EIS, demonstrating that the proposed development satisfies the relevant provisions of the Clause 4.6 in the Tweed LEP 2014.

7.3 Community and Engagement

The community, government agency and authority engagement undertaken for this project is summarised **Section 5** of this EIS. It is also documented in the **Social Impact Assessment (Appendix U)**.

The proposal itself is a direct response to seniors housing market trends and requests. It seeks to deliver a contemporary seniors housing product above what has been approved for the site, which

- Allows better lifestyle amenity;
- Provides greater passive and active communal spaces; and
- Support and encourages age in place principles, based on contemporary living requirements and options.

The proposed development and studies that have informed it, also respond to the feedback received through the formulation and engagement phases of the project. Specifically, the proposal has focussed on key areas of concerns raised by public agencies and the community such as:

- Detailed groundwater modelling and impact assessment
- Conscious ecological assessment and ensuring no-loss of ecological benefit from what has previously been approved onsite
- Improved bushfire safety, for the existing development and proposed seniors housing
- Pursuing detail contamination and radioactive sand investigations
- Investigating biting insect constraints and responses
- Providing a separate vehicle access point for residents and heavy construction vehicle movements
- Provision of solar panels

In accordance with the EP&A Regulation, the SSD Application including this EIS and supporting studies will be notified and placed on formal public exhibition once DPIH has reviewed the EIS for adequacy. The applicant will respond to any matters raised by notified parties following the public exhibition through preparation of a response to submissions report.

7.4 Consideration of Alternatives and Design of the Project

The alternatives considered for the project are discussed in **Section 2.6** of this EIS.

The proposed site layout and architectural design was developed based on a detailed site analysis and investigations to determine the opportunities and constraints which apply to the site and surrounding area, the outcomes of which were applied as design parameters.

The design has progressed in consultation with SDRP, feedback from government and authority stakeholders and community discussion.

Many detailed specialist reports as well as design improvements have been undertaken as an outcome of the consultation processes and incorporated into the final proposal.

On balance, the proposed design, was considered the best scenario as it:

- Provides housing and living arrangement, based on contemporary best practice design and living standards
- is considerate of existing development on the site, including appropriate separation distances between buildings, minimising potential overlooking and overshadowing, maintaining desirable view corridors, and maintaining a similar (but contemporary) architectural character.
- Incorporates passive environmental design including solar ingress to living spaces and private open spaces, natural light and ventilation to all habitable rooms, cross ventilation, water harvesting, and solar farming.
- Integrates with the existing community, ensuring that senior residents can easily navigate the village and surrounding areas, with accessible infrastructure that supports mobility and independence.

7.5 Environmental, Social and Economic Impacts

A comprehensive review of environmental constraints and potential impacts associated with the proposal has been undertaken to inform the development design and preparation of this EIS. The findings of the environmental studies undertaken are summarised throughout this report. Where impacts are identified, this report and accompanying technical reports explain why they can be determined as acceptable and how they can be mitigated.

The assessment of the economic, social and environmental impacts is summarised below.

7.5.1 Economic

The proposal will result in positive economic impacts through the direct economic investment of \$8M, that will directly stimulate the local economy, especially during construction. This spending will be spread across labour, materials, services, and subcontractors, leading to income generation for local businesses and workers. Depending on the staging of the project, at least 50-100 full-time equivalent (FTE) jobs could be created during the construction phase, subject to the subcontractors and specialists needed.

Post-construction, the operational phase would result in approximately 30 (new) permanent jobs, such as aged care workers, nurses, facility managers, caretakers, administration, chefs, and maintenance staff. In addition, the residents themselves (seniors) may require support services, such as healthcare, social services, and additional care workers, which could create indirect employment opportunities.

Seniors residing in the development would contribute to the local economy by spending on local goods and services such as groceries, healthcare, transportation, and leisure activities. This spending would support local and regional businesses, including healthcare services, retail stores, transportation, and entertainment options. Additionally, the presence of a senior community may attract businesses targeting seniors' needs, further boosting local economic activity.

7.5.2 Social

The proposal will result in a fit for purpose housing for seniors allowing them to age gracefully in the Hastings Point area, provide services and ancillary uses to benefit the residents and guests.

The proposed development comprises 51 ILUs and a 47 bed RAC facility, supported by a range of other communal facilities, for entertainment, health, active and passive recreation. The services provided onsite will promote health, wellbeing and connection, in welcoming settings, continuing a strong legacy of care and commitment to Hastings Point.

It is proposed that the existing staff and residents already living on site, will stay on site throughout construction.

7.5.3 Built Environment

Arqus Design has led the design process in collaboration with TriCare, including consideration of best practice design response.

The design has been carefully considered to achieve a refined, articulated building envelope with varied and stepped forms, modulated skyline, application of fine grain elements (including screens and sun shade elements) and incorporation of semi open corridors and glazing to create buildings that aesthetically pleasing across the site.

The proposed design is responsive to the environment and climatic conditions, with buildings centrally sited on existing cleared areas containing exotic dominated grassland and providing large setbacks to site boundaries to facilitate APZs, landscaping and ecological restoration works.

The design is also considerate of existing development on the site including providing appropriate separation distances between buildings, minimising potential overlooking and overshadowing, maintaining desirable view corridors, and maintaining a similar (but contemporary) architectural character.

Passive environmental design is an integral element of the proposed development including solar ingress to living spaces and private open space, natural light and ventilation to all habitable rooms, cross ventilation, water harvesting, and solar farming.

The design will integrate seamlessly with the existing community, ensuring that senior residents can easily navigate the village and surrounding areas, with accessible infrastructure that supports mobility and independence.

It is acknowledged that the proposal does seek variations to local design controls; however, the objective and intent of these controls is being achieved through the proposed alternative solutions. That is, there is sufficient justification and environmental planning grounds to support a variation to these controls.

7.5.4 Natural Environment

An integrated approach towards ecological sustainability has been pursued through the form and composition of housing, landscaping and open space at the site, as well as additional initiatives that will help ensure important energy and water reduction targets are met.

7.6 Suitability of the Site

The subject site is considered suitable for the proposed development for the following reasons:

- Consistent with objectives of relevant land use zone;
- A valid and active approval already exists for seniors housing on the same/similar footprint. This proposal seeks to update and improve the design of the facility to meet contemporary standards for seniors housing and the constraints and opportunities of the site as identified in updated technical assessments;
- The proposed design incorporates significant setbacks, building separation and landscaping to ensure the environmental dominance of the Southern Entry to Hastings Point is maintained and the proposed buildings to not alter or intrude into public viewing opportunities;
- The site is largely cleared of native vegetation and the development is sited on existing cleared areas containing exotic dominated grassland;

- Biodiversity values are enhanced through considered and diverse landscaping with an emphasis on indigenous species and local provenance to ensure a nature positive outcome;
- The development area is largely above the PMF level and a permanent high-level road/pedestrian evacuation route above PMF is available to the nearest emergency evacuation centres;
- The site is serviced by both public and on-site bus services providing residents with easy access to transportation options, allowing them to stay connected to the broader Tweed community and participate in activities outside the village;
- The conservation lands extend to the north and south and Cudgera Creek reserve to the west, providing natural buffers around the site and largely shielded the development from view from public viewpoints;
- Environmental studies have been undertaken to inform the design and this report demonstrates the proposal can be accommodated by the subject site without resulting in unacceptable adverse environmental, economic or social impacts;
- The demographic profile of Hastings Point highlights a demand for additional diverse housing and services in the area; and
- The size of the lot facilitates a larger development form, largely unable to be achieved or accommodated elsewhere within Hastings Point.

7.7 Public Interest

The proposed seniors housing development is in the public interest for the following reasons:

- Facilitates an economically feasible development of the site for further housing for seniors or people with a disability;
- Allows for the orderly and economic development of the site by providing a logical extension of the existing TriCare Hastings Point retirement community;
- Contributes to the diversity of seniors housing in Tweed Shire;
- Generates employment opportunities during construction and the ongoing operation;
- Results in a minimal cumulative impact on the immediate area, of which appropriate mitigation measures can be achieved; and
- Issues identified during community and stakeholder consultation have been addressed through the design.

7.8 Conclusion

This EIS has been prepared to consider the environmental, social and economic impacts of proposed seniors housing in Hastings Point. The EIS has addressed the issues outlined in the SEARs and has been prepared in accordance with the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement.

Based on the detailed assessment undertaken in this EIS, we conclude that it is in the public interest that consent be granted to the proposal, subject to the implementation of suitable conditions of consent reflecting the recommended mitigation measures.



C O N S U L T I N G