

Ref: **SSD-82352708**
WTJ24-479



WILLOWTREE PLANNING

ENVIRONMENTAL IMPACT STATEMENT: PROPOSED LAND LEASE COMMUNITY - BROADLANDS SOUTH WEST ROCKS

286-310 Gregory Street, South West Rocks
Lot 3 DP801467

—
Prepared by Willowtree Planning (NSW) Pty Ltd
on behalf of South West Rocks Living Pty Ltd

9 July 2025

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WILLOWTREE
P L A N N I N G

In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders - past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

DOCUMENT CONTROL TABLE			
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EIS DECLARATION

Declaration Form: Submission of EIS

Project Details

Project name	Broadlands South West Rocks
Application number	SSD-82352708
Address of the land on which the development is to be carried out	286-310 Gregory Street, South West Rocks (Lot 3 DP801467)

Proponent Details

Proponent name	South West Rocks Living Pty Ltd
Proponent address	22-24 Junction Street, Forest Lodge

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Declaration by registered environmental assessment practitioner

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Declaration	The undersigned declares that this EIS: ▪ has been prepared in accordance with Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i>; ▪ 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 Proposal; ▪ identifies and addresses the relevant statutory requirements for the Proposal, including any relevant matters for consideration in environmental planning instruments; ▪ has been prepared having regard to the Department's <i>State Significant Development Guidelines - Preparing an Environmental Impact Statement</i>; ▪ contains a simple and easy to understand summary of the Proposal as a whole, having regard to the economic, environmental and social impacts of the Proposal and the principles of ecologically sustainable development; ▪ contains a consolidated description of the Proposal 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 Proposal as a whole.
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Signature



Date 09/07/2025



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GLOSSARY OF KEY TERMS

TERM	MEANING
AHD	Australian Height Datum
BAM	Biodiversity Assessment Methodology
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCBHS	Building Code and Bushfire Hazard Solutions
BC Regulation	<i>Biodiversity Conservation Regulation 2017</i>
BDAR	Biodiversity Development Assessment Report
BOS	Biodiversity Offset Scheme
CBD	Central Business District
CEMP	Construction Environmental Management Plan
CHPR	Conservation Programs, Heritage and Regulation
Council	Kempsey Shire Council
CTMP	Construction Traffic Management Plan
DA	Development Application
DCP	Development Control Plan
DP	Deposited Plan
DPHI	NSW Department of Planning, Housing and Infrastructure
EDC	Estimated Development Cost
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPA	Environment Protection Authority
EPBC Act	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environmental Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
FSR	Floor Space Ratio
GFA	Gross Floor Area
GHG	Greenhouse Gas
GSC	Greater Sydney Commission
KLEP2013	<i>Kempsey Local Environmental Plan 2013</i>
LGA	Local Government Area
LSPS	Local Strategy Planning Statement
MNES	Matter of National Environmental Significance
MUSIC	Model for Urban Stormwater Improvement Conceptualisation
NCC	National Construction Code
NOR	Notice of Requirements
NSW RMS	NSW Roads and Maritime Services
OEH	NSW Office of Environment and Heritage
PA	Planning Agreement



ENVIRONMENTAL IMPACT STATEMENT

BROADLANDS SOUTH WEST ROCKS

286-310 Gregory Street, South West Rocks (Lot 3 DP801467)

SSD-82352708

TERM	MEANING
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Proposal	Construction and operation of a Land Lease Community Estate for over 50's comprising 101 dwelling sites, community facilities for residents and associated infrastructure and amenities.
RL	Reduced level
SEARs	Secretary's Environmental Assessment Requirements (SSD-82352708), dated 16 April 2025
SEPP	State Environmental Planning Policy
SIDRA	Signalised & unsignalised Intersection Design and Research Aid
SSDA	State Significant Development Application
Site/study area	286-310 Gregory Street, South West Rocks
Sqm or m²	Square metres
TfNSW	Transport for NSW
VIA	Visual Impact Assessment
Willowtree Planning	Willowtree Planning Pty Ltd
WM Act	<i>Water Management Act 2000</i>
WMP	Waste Management Plan
WSUD	Water Sensitive Urban Design



SUMMARY

This Environmental Impact Statement (EIS) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning), on behalf of South West Rocks Living Pty Ltd. This EIS is submitted to the New South Wales (NSW) Department of Planning, Housing and Infrastructure (DPHI), in support of an application for State Significant Development (SSD), for the construction and operation of a Land Lease Community Estate for over 50's comprising 101 dwelling sites, community facilities for residents and associated infrastructure and amenities (the Proposal) at 286-310 Gregory Street, South West Rocks (Lot 3 DP801467).

In short, the Proposal involves the construction and operation of a Land Lease Community Estate (identified as Broadlands South West Rocks), comprising:

- Use of the Site as multi dwelling housing;
- Bulk earthworks and retaining comprising 22,500m³ of cut and 27,500m³ fill;
- Removal of two (2) trees and planting of 196 new trees;
- Relocation of high voltage overhead cables;
- Installation of stormwater systems, electricity, potable water, sewerage and telecommunication lines;
- Construction of internal roadways;
- Construction of vehicle access via Gregory Street and Racemosa Circuit (emergency access only);
- Construction of community facilities involving a:
 - Two (2) storey community building with a gross floor area (GFA) of 998m²;
 - Single storey maintenance shed with a GFA of 174m²;
 - Central park with sheltered picnic settings;
 - Outdoor pool, cabana and flexible open space;
 - Dog off-leash park, pickleball court and sheltered picnic settings;
- 26 on-site visitor car parking spaces (including 2 accessible spaces);
- Fencing and security gates;
- 22,700m² of complementary landscaping; and
- Public domain upgrades including pavement widening, installation of a table drain, installation of a 1.5m wide footpath and construction of a new pedestrian central refuge with associated kerb ramps and build out.

The Proposal is to be located at 286-310 Gregory Street, South West Rocks, more formally described as Lot 3 DP801467. Such land is described throughout this EIS as the 'Site'.

The Site is located within the Kempsey Shire Local Government Area (LGA) and is zoned R1 General Residential and R3 Medium Density Residential, pursuant to the *Kempsey Local Environmental Plan 2013* (KLEP2013). The Proposal falls within the definition of 'multi dwelling housing', which is permissible with consent in the R1 General Residential and R3 Medium Density Residential zones of the KLEP2013.

The Proposal is declared SSD under Section 3.36(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and pursuant to:

- Clause 4(1)(g) of *State Significant Development Declaration Order (No 3) 2025* (SSD Order No.3 2025), being development specified in EOI application 233998 dated 24 January 2025 including development for the purposes of multi dwelling houses at 286-310 Gregory Street, South West Rocks, Lot 3/DP801467.

As such, this EIS must be prepared in accordance with the Secretary's Environmental Assessment Requirements (SEARs).



Under the *Environmental Planning & Assessment Act 1979* (EP&A Act), it is required that a request for SEARs must be made prior to the lodgement of any application for SSD. SEARs were requested for the Proposal (reference: SSD-82352708) and later issued by the NSW DPHI on 16 April 2025 (refer to **Appendix 1**) in the form of industry-specific SEARs, through the Rapid Assessment Framework.

The SEARs for the Proposal outline several Key Issues to be addressed as part of this EIS, including:

1. Statutory Context
2. Estimated Development Cost and Employment
3. Contributions and Public Benefit
4. Engagement
5. Design Quality
6. Built Form and Urban Design
7. Environmental Amenity
8. Visual Impact
9. Transport
10. Noise and Vibration
11. Water Management
12. Ground and Water Conditions
13. Contamination and Remediation
14. Trees and Landscaping
15. Ecologically Sustainable Development (ESD)
16. Biodiversity
17. Waste Management
18. Social Impact
19. Flood Risk
20. Bush Fire Risk
21. Environmental Heritage
22. Public Space
23. Hazards and Risks
24. Local Government Regulation Compliance
25. Services

The findings of this EIS identify that the Proposal can be accommodated, subject to suitable management and mitigation measures, without any adverse environmental impacts beyond that considered appropriate by the relevant legislation.

Further, the Proposal would be consistent with the objectives of the KLEP2013, the *Future Macleay - Growth & Character Local Strategy Planning Statement 2020-2040* (LSPS) and relevant R1 General Residential and the R3 Medium Density Residential zones. The Proposal is suitable for the local context and shall not result in any significant environmental impact. As such, it is recommended that the Proposal be supported by the NSW DPHI for approval, subject to reasonable and relevant conditions.

SITE CONTEXT

The Site is legally described as Lot 3 DP801467, with frontage to Gregory Street to the west, and Racemosa Circuit to the south. The Site has a total area of approximately 4.16ha and is positioned within a low-medium density residential area of South West Rocks.

The Site is currently vacant and has recently been cleared of most vegetation. The Site is significantly sloped from northeast to southwest. The Site benefits from convenient access to the Rocks Shopping Centre, public transport connections and the wider road network. The Site is located 2km from the township of South West Rocks.



ENVIRONMENTAL IMPACT STATEMENT

BROADLANDS SOUTH WEST ROCKS

286-310 Gregory Street, South West Rocks (Lot 3 DP801467)

SSD-82352708

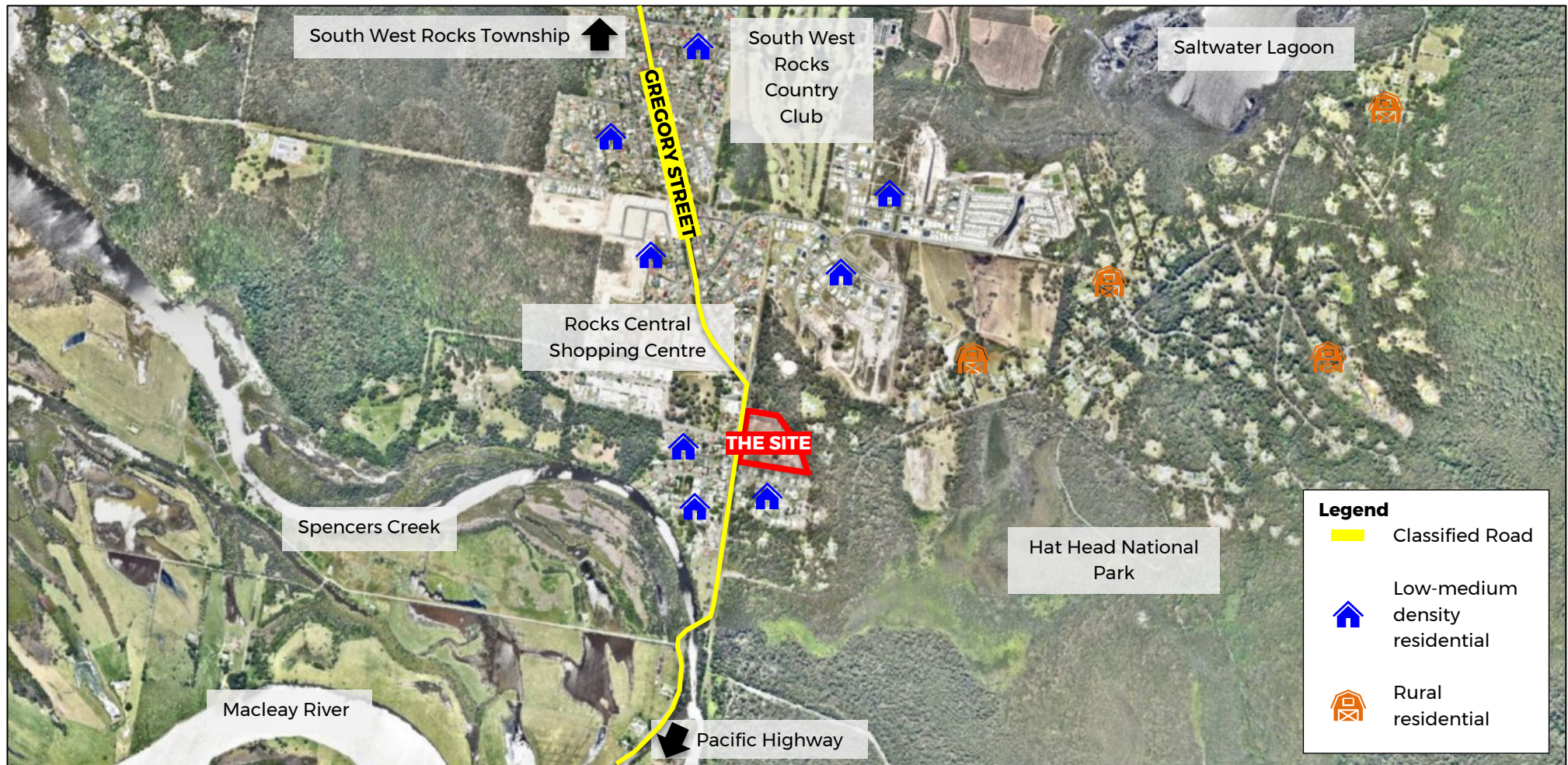


Figure 1 . Site Context Map (Source: Nearmap marked up by Willowtree Planning, 2025)

PROPOSAL DESCRIPTION

The Proposal represents a new Land Lease Community Estate at the Site, to be occupied by Broadlands.

The development consent sought under this proposed Land Lease Community Estate, comprises the following aspects of development:

- Use of the Site as multi dwelling housing;
- Bulk earthworks and retaining comprising 22,500m³ of cut and 27,500m³ fill;
- Removal of two (2) trees and planting of 196 new trees;
- Relocation of high voltage overhead cables;
- Installation of stormwater systems, electricity, potable water, sewerage and telecommunication lines;
- Construction of internal roadways;
- Construction of vehicle access via Gregory Street and Racemosa Circuit (emergency access only);
- Construction of community facilities involving a:
 - Two (2) storey community building with a gross floor area (GFA) of 998m²;
 - Single storey maintenance shed with a GFA of 174m²;
 - Central park with sheltered picnic settings;
 - Outdoor pool, cabana and flexible open space;
 - Dog off-leash park, pickleball court and sheltered picnic settings;
- 26 on-site visitor car parking spaces (including 2 accessible spaces);
- Fencing and security gates;
- 22,700m² of complementary landscaping; and
- Public domain upgrades including pavement widening, installation of a table drain, installation of a 1.5m wide footpath and construction of a new pedestrian central refuge with associated kerb ramps and build out.

STRATEGIC CONTEXT

Housing is the NSW Government's top priority. The Proposal is directly consistent with the overarching themes and requirements of all relevant plans, policies, and guidelines, including:

NSW Government plans

- North Coast Regional Plan 2041 (Regional Plan)
- Housing 2041: NSW Housing Strategy
- Future Transport Strategy 2056
- Ageing Well in NSW: Seniors Strategy 2021-2031

Kempsey Shire Council plans and policies

- The Future Macleay - Growth & Character Local Strategy Planning Statement 2020-2040 (LSPS)

Design policies and guidelines

- Connecting with Country
- Better Placed: An integrated design policy for the built environment of New South Wales (Better Placed)

These plans and policies illustrate that the Kempsey Shire LGA and wider region are expected to experience an ageing population and an increase in more housing with a need for a wide range of housing typologies, all with close proximity to services and transport services.

Accordingly, the Proposal will have regard to the capacity of the Site, its location, and its ability to provide new housing for over 50's in a housing typology that is relatively affordable compared to typical housing. The Proposal responds to the strategic theme of affordability and increasing housing choice and contributes towards the market demand established by DPHI.



PLANNING AND LEGISLATIVE FRAMEWORK

All relevant Commonwealth, Federal and State legislation, as well as Environmental Planning Instruments (EPIs), have been considered in the preparation of this EIS.

The KLEP 2013 is the principal EPI applying to the Site, which is zoned R1 General Residential and R3 Medium Density Residential. The Proposal would facilitate the intended use of the Site for residential purposes, which is consistent with the zoning and the surrounding context.

The Proposal falls within the definition of 'multi dwelling housing', being *3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building*, which is permissible with consent in the R1 General Residential and R3 Medium Density Residential zones, pursuant to the KLEP2013. Further, the KLEP2013 states that for both R1 General Residential and R3 Medium Density Residential zones, uses that are permitted with consent include *"any other development not specified in item 2 (permitted without consent) and 4 (prohibited)"*.

As the Proposal is for a Manufactured Home Estate (MHE) within a Land Lease Community, the proposed use is permissible at the Site on the basis that a 'manufactured home estate' is an innominate description (i.e. falling within the *"any other development not specified in item 2 (permitted without consent) and 4 (prohibited)"* criteria) for the purposes of the KLEP2013 and therefore permitted with consent under R1 and R3 zoning.

Additionally, it is considered that the proposed use as a MHE can also be characterised as multi-dwelling housing and therefore is a permissible use for R1 and R3 zones.

The Proposal meets all the requirements set out in the *Residential (Land Lease) Communities Act 2013* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for a Land Lease Community Estate.

The Proposal has been assessed against the relevant statutory requirements, and all preconditions and mandatory considerations have been assessed within this EIS and the supporting technical documentation. The matters identified in the SEARs issued for the site on 16th April 2025 have been assessed in detail, with specialist reports underpinning the key findings and recommendations identified in the assessment provided in **PART 6**. This body of work has been used to identify the potential environmental impacts and provide advice on appropriate mitigation. It has been demonstrated that the likely impacts identified in the assessment of the key issues will either be positive or can be appropriately mitigated through the undertakings made by the Proponent to manage and minimise potential impacts arising from the Proposal.

Overall, the Proposal is satisfactory in terms of its legislative context, on the basis that:

- The Proposal is permissible in the zone;
- The objectives of the zones are satisfied;
- The range of applicable SEPPs have been considered;
- Strategic documents that apply to the locality and wider region have identified that the proposed use is consistent with the strategic context of the area;
- The Proposal satisfies the relevant provisions of the National Construction Code (NCC) and applicable Australian Standards.

Refer to **PART 4** of this EIS for a more detailed assessment of this SSDA against the relevant planning and legislative framework.



PUBLIC NOTIFICATION AND CONSULTATION

A range of authorities have been consulted with during the preparation of this EIS. These include:

- Department of Planning, Housing and Infrastructure – Housing Delivery Authority (DPHI, HDA)
- Kempsey Shire Council
- Surrounding local landowners, business and stakeholders

The outcomes of the consultation process have been considered in the design of the Proposal, where relevant, and are discussed in **PART 5** and within the Community Engagement Table at **Appendix C**.

ENVIRONMENTAL IMPACT ASSESSMENT

An Environmental Impact Assessment (EIA) has been undertaken against the relevant planning controls and policies. Additionally, various expert consultants have been engaged to specifically consider relevant aspects of the Proposal. The EIA has found that the Proposal complies with the relevant controls and it is considered that appropriate mitigation measures can be put in place to minimise any identified risks.

The Proposal is considered acceptable in a legislative sense.

Based on the specialist studies and extensive investigations carried out for the Proposal, the following conclusions are made:

1. Statutory Context

The Proposal is entirely consistent with the Objectives of the EP&A Act. The appropriateness of the Proposal is also demonstrated through compliance with the KLEP2013, in that it achieves the housing outcomes envisaged for the Site, with minimal impact on surrounding uses and environments.

2. Estimated Development Cost and Employment

The Proposal is expected to generate employment opportunities during the construction phase, supporting local trades, suppliers, and service providers. In the longer term, the Proposal will facilitate the delivery of 101 new dwellings, contributing to increased housing supply and population growth. This, in turn, will support the local economy by stimulating demand for goods, services, and infrastructure within the surrounding area. The Proposal will also result in jobs during the operational phase, including site management and servicing.

3. Contributions and Public Benefit

The *South West Rocks Section 94 Contributions Plan* (South West Rocks CP) applies to the Site. The payment of contributions may be conditioned accordingly.

The Proposal will deliver numerous public benefits by:

- Provision of residential housing, which will meet the needs of the local community;
- Enhancement of landscaping, including 196 proposed trees;
- Enhancements to the streetscape's character and appearance; and

4. Engagement

This EIS and supporting reports have been prepared in accordance with the matters prescribed by the SEARs. A comprehensive level of community and stakeholder engagement has been undertaken for the Proposal.



5. Design Quality

It is noted that design excellence is not required for the Proposal under any applicable EPIs. Additionally, the Proposal is not required by any EPI to undergo a competitive design process.

Notwithstanding the above, the Proposal has been designed to a high quality, including its layout, scale and density, architecture and materiality, ensuring that the Proposal integrates well with the surrounding context.

6. Built Form and Urban Design

The proposed built form is limited to the clubhouse, maintenance shed, sheltered picnic settings, pickleball court and pool cabana. The proposed clubhouse and maintenance shed buildings are modest in scale (between one (1) and two (2) storeys in height) and significantly set back from Gregory Street and Racemosa Circuit and would not be viewable from the public domain.

The architectural form of the preliminary home designs reflects a modern suburban character, featuring pitched roofs, varied facades, and high-quality materials such as lightweight cladding, stone, and rendered elements.

However, the final built form for each of the dwelling sites will be subject to purchaser preference and will be undertaken via the Section 68 approval process under the LG Act and must be installed in accordance with the LG Regs.

To further soften the visual impact of the proposed structures, a comprehensive landscaping approach is proposed, incorporating tree and shrub planting along the Gregory Street frontage.

7. Environmental Amenity

Overall, the Proposal has been designed to minimise impacts to surrounding existing properties. No material solar impacts or view losses have been identified to neighbouring properties.

The proposed layout also ensures that each individual dwelling unit within the Proposal would benefit from a high level of amenity, including solar access, passive cross ventilation, privacy and thermal comfort.

Notwithstanding, each individual dwelling unit will be subject to a separate planning pathway via Section 68 of the *Local Government Act 1993* and would need to comply with the specific design requirements set out under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.

8. Visual Impact

The Proposal provides a suitable suburban design outcome that reflects the existing locality and will not result in any unacceptable visual impact and would not infringe upon or harm the Scenic Protection Land located immediately to the north east of the Site.

9. Transport

The Site is ideally positioned to provide increased residential density, and specifically a Land Lease Community Estate due to the proximity to Gregory Street, which is a Regional Road, as well as being located in proximity to several bus routes.

The Proposal is expected to generate approximately:



- 23 vehicle trips during the AM peak hour
- 26 vehicle trips during the PM peak hour

This equates to fewer than one (1) vehicle trip every two (2) minutes, a level of traffic that the TIA has concluded will integrate smoothly into the surrounding road network without significant impact on traffic conditions.

A capacity analysis confirms that the proposed Site access will function efficiently, with minimal queuing and delays. No external road upgrades are required for traffic capacity.

Pedestrian connectivity will be significantly enhanced through the following measures:

- A new 1.5m wide footpath along the entire Gregory Street frontage
- A pedestrian crossing north of Lindsay Noonan Drive, incorporating:
 - Kerb ramps for accessibility
 - Kerb build-outs to shorten crossing distances
 - A pedestrian refuge in the centre of Gregory Street

These improvements align with Council's Pedestrian Access and Mobility Plan (PAMP), enhancing pedestrian safety and connectivity.

Each dwelling will be equipped with either a single or double garage, depending on purchaser preference, ensuring adequate on-site parking for residents. Each individual manufactured home would be subject to a separate planning pathway via Section 68 of the *Local Government Act 1993* that would require assessment on their own merits.

10. Noise and Vibration

The Noise and Vibration Impact Assessment (NVIA) identifies that with the inclusion of appropriate noise management and mitigation measures, compliance with appropriate construction and operational noise and vibration criteria would be achieved. The mitigation recommendations will be incorporated in the design of the Proposal to ensure internal noise levels and noise emitted from the Proposal is appropriately controlled.

11. Water Management

The post-development sub-catchment arrangement reflects the proposed drainage infrastructure upgrades, which include upgraded and/or realigned swales, the inclusion of a network of pits and pipes, the inclusion of retaining walls, a 350m³ detention basin, and upgraded stormwater outlets. The stormwater treatment system will also feature two (2) Atlan Ecoceptor Class 3 GPTs and two (2) Atlan Basins (SQIDDEP verified) 4L/s systems, strategically located in the southwest corner and southern sections of the Site.

12. Ground and Water Conditions

The Proposal involves bulk earthworks which will alter existing ground conditions and involve excavation through a variety of geological materials, including residual soils, colluvium, saprolite, and weathered granite. Subsurface conditions vary significantly across the Site, with localised zones of high-strength granite boulders, weak kaolinite-rich clays, and groundwater-bearing layers identified through fieldwork.

The Geotechnical Assessment identifies several recommendations regarding excavation, cut and fill, proposed foundations, retaining wall design, dilapidation surveys of neighbouring properties and the preparation of a Construction Environmental Management Plan.



13. Contamination and Remediation

The Preliminary Site Investigation (PSI) included fieldwork, which involved a general site walkover, observations of surrounding features, excavation of six (6) test pits to 4.3m, drilling of five (5) boreholes to 8m, and installation of a groundwater well. The investigations identified Colluvial Clay/Sand, Residual Saprolite/Clay, and Granite within the Site. No contamination or asbestos-containing materials (ACM) were detected.

Based on these findings, the PSI finds the Site suitable for the proposed residential development and that a Detailed Site Investigation (DSI) is not required.

14. Trees and Landscaping

Vegetation clearing has recently occurred at the Site in accordance with Development Approval T6-14-333. As a result, the Site is now largely cleared, except for two *Eucalyptus microcorys* (Tallowwood) trees located within the southern portion of the Site.

These two trees are proposed to be removed due to their condition and the extensive cut and fill that is required. Mitigation measures include substantial soft landscaping, including 196 new trees (resulting in 5,760m² canopy cover), with a significant amount of soft landscaping (including native species) including deep soil.

The landscaping also includes a pickleball court and swimming pool for future residents as well as other areas for recreation and relaxation, delivering both active and passive recreation opportunities for all.

15. Ecologically Sustainable Development (ESD)

The Proposal does not meet the definition of BASIX development. The proposed built form does not constitute a BASIX building, as it does not apply to manufactured homes and no built form for such development is sought under the application. Furthermore, while a swimming pool is proposed, it is intended to service all 101 future dwelling units, not a single dwelling unit, and therefore does not trigger BASIX requirements.

Notwithstanding, a Section J Report accompanies the SSDA, which confirms that the Proposal complies with the relevant NCC requirements in terms of thermal performance specifically regarding the proposed clubhouse.

16. Biodiversity

Under the KDCP2013, the two (2) affected *Eucalyptus microcorys* (Tallowwood) trees meet the definition of Preferred Koala Food Trees. However, these trees are located outside the mapped Potential Koala Habitat and therefore their removal does not trigger offset requirements under the Kempsey CKPoM. Additionally, no evidence of Koala activity was observed on these trees.

As noted above, these two (2) trees are proposed to be removed due to their condition and the extensive cut and fill that is required. Mitigation measures include substantial soft landscaping, including 196 new trees (resulting in 5,760m² canopy cover), with a significant amount of soft landscaping (including native species) including deep soil.

17. Waste Management

An Operational Waste Management Plan (OWMP) and a Construction and Demolition Waste Management Plan (CDWMP) have been provided, which considers construction and operational waste measures to be undertaken for the Proposal. The Proposal has considered



the provision for waste management areas to ensure the effective management and disposal of waste can occur.

18. Social Impact

Long term socio-economic impacts of the Proposal are expected to be positive, with benefits to be felt by groups extending beyond the immediate locality.

19. Flood Risk

The Site is not mapped as Flood Prone Land. During a flood event, access and egress to and from the Site to the South West Rocks town centre remains unaffected. This is due to the section of Gregory Street located to the north of the Site being elevated above the Flood Planning Level, ensuring that it remains passable and usable for vehicular and pedestrian movement, even under adverse flood conditions. This provides a reliable means of access during flood events, contributing to the overall resilience of the Site's connectivity with the surrounding area.

20. Bush Fire Risk

The Site is mapped as Bushfire Prone Land comprising Vegetation Category 1 and Vegetation Buffer.

Development for the purpose of multi dwelling housing is not nominated integrated development under Clause 100B of the *Rural Fires Act 1997* or Clause 47 of the *Rural Fires Regulation 2022* (RF Regulation).

The Proposal has been assessed in accordance with the requirements of the RF Regulation and *Planning for Bushfire Protection 2019* (PBP). The assessment undertaken confirms that the Proposal complies with Clause 45 of the RF Regulation and the provisions of PBP.

The prescribed Asset Protection Zone (APZ) is identified on the Architectural Drawings and the Landscape and Civil Plans. The proposed clubhouse is not located within the APZ and tree planting within this area is proposed in accordance with the recommendations of the BAR.

The BAR has concluded that the Proposal meets the required standards to protect persons and property from potential bushfire hazards subject to several recommendations. The Proposal shall be constructed and operated in accordance with the BAR and its recommendations.

21. Aboriginal Cultural Heritage

An Aboriginal Heritage Due Diligence Assessment (AHDDA) has been prepared that confirms that there are no registered Aboriginal Heritage Information Management System (AHIMS) sites located within 200m of the Site. However, two burial sites containing midden and artefacts (AHIMS 22-4-0048 and AHIMS 22-4-0095) are registered approximately 300m to the west.

The visual inspection of the Site identified that vegetation clearance and erosion have impacted the Site, reducing the likelihood of Aboriginal objects being present. No Aboriginal objects or potential archaeological deposits (PADs) were identified, and no impacts to Aboriginal heritage are proposed. Furthermore, an inspection of the Site was undertaken by Kempsey Local Aboriginal Land Council in 2014 that also identified no Aboriginal heritage constraints, based on the level of disturbance.

The Proposal shall be carried out in accordance with the Aboriginal Heritage Due Diligence Assessment.



22. Environmental Heritage

The Site is not mapped as comprising any heritage items or within a heritage conservation area. The Site is located 1.1km west of the nearest heritage item ensuring the Proposal would not have any impact on any heritage items and associated archaeology. As such a Heritage Impact Assessment and Archaeological Assessment are not required.

23. Public Space

The Proposal includes the introduction of a new 1.5m wide footpath along the entire Gregory Street frontage and a pedestrian crossing north of Lindsay Noonan Drive, which includes:

- Kerb ramps for accessibility
- Kerb build-outs to shorten crossing distances
- A pedestrian refuge in the centre of Gregory Street

These improvements would enhance pedestrian connectivity significantly and would be secured as conditions of consent.

Further, the Proposal and the associated landscaping will make a positive contribution from the public realm.

24. Hazards and Risks

The Proposal is not affected by above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of the Proposal's location.

Local Government Regulation Compliance

The Proposal meets all the requirements set out in the *Residential (Land Lease) Communities Act 2013* and the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* for a Land Lease Community Estate.

JUSTIFICATION FOR THE PROPOSAL

In assessing the impacts of the Proposal, consideration has been given to social, economic and environmental matters. As identified in this EIS, the Proposal is not considered to represent an environmental risk, or a development that might be out of context with the surrounding locality.

EIS FINDINGS

The findings of this EIS demonstrate that the Proposal can proceed with consent. All assessed impacts have been examined and deemed acceptable, in relation to all the relevant legislative requirements applicable to the Site. Furthermore, the Proposal aligns with the objectives of the Regional Plan and the LSPS.

Based on the findings of this EIS, the Site can successfully support the proposed multi dwelling housing, inclusive of related development and operations, with acceptable environmental impacts. The Proposal is a logical addition to the South West Rocks locality.

The Proposal is deemed suitable for its intended purpose, having regard to its regional and local context and would not result in any significant environmental impacts. As such, it is requested that the Proposal be approved, subject to reasonable and relevant conditions.

Based on the findings of this EIS, it is concluded that the Proposal would support the continued and targeted growth of South West Rocks. The Proposal is therefore considered suitable from both a local



and regional context and is considered orderly and appropriate, based on social, cultural, economic and environmental matters.

Given the above reasons and the satisfaction of both of the Objectives of the EP&A Act and the aims of the KLEP2013, it is recommended that the Proposal, for the purposes of multi dwelling housing, be supported subject to relevant and reasonable conditions.



PART 1 INTRODUCTION

1.1 INTRODUCTION

This EIS has been prepared by Willowtree Planning, on behalf of South West Rocks Living Pty Ltd. The EIS is submitted to the NSW DPHI, in support of an SSDA, for the Broadlands South West Rocks project, involving the construction and operation of a Land Lease Community Estate for over 50's comprising 101 dwelling sites, community facilities for residents and associated infrastructure and amenities at 286-310 Gregory Street, South West Rocks, more formally described as Lot 3 DP801467.

The purpose of this EIS is to inform the community and stakeholders about the Proposal, including its social, economic, and environmental impacts, benefits, and mitigation measures, as well as provide a cohesive environmental assessment for the Proposal.

The Proposal is declared SSD under Section 3.36(3) of the EP&A Act and pursuant to:

- Clause 4(1)(g) of State Significant Development Declaration Order (No 3) 2025 (SSD Order No.3 2025), being development specified in EOI application 233998 dated 24 January 2025 including development for the purposes of multi dwelling houses at 286-310 Gregory Street, South West Rocks, Lot 3/DP801467.

In accordance with Section 4.39 of the EP&A Act, the Secretary of the Department issued an Industry Specific SEARs for housing on 16 April 2025.

Under the EP&A Act, it is required that a request for SEARs must be made prior to the lodgement of any development application for SSD. SEARs were requested for the Proposal (reference: SSD- 82352708) and later issued by the NSW DPHI on 16 April 2025 in the form of industry-specific SEARs, through the Rapid Assessment Framework.

This EIS is based on the Architectural Drawings and Design Report prepared by King + Campbell (**Appendix 4** and **Appendix 5**) and should be read in conjunction with other supporting technical documentation appended to this EIS.

The Proposal seeks development consent for the construction and operation of a Land Lease Community Estate for over 50's comprising 101 dwelling sites, community facilities for residents and associated infrastructure and amenities.

The particulars of this Proposal are summarised below:

- Use of the Site as multi dwelling housing;
- Bulk earthworks and retaining comprising 22,500m³ of cut and 27,500m³ fill;
- Removal of two (2) trees and planting of 196 new trees;
- Relocation of high voltage overhead cables;
- Installation of stormwater systems, electricity, potable water, sewerage and telecommunication lines;
- Construction of internal roadways;
- Construction of vehicle access via Gregory Street and Racemosa Circuit (emergency access only);
- Construction of community facilities involving a:
 - Two (2) storey community building with a gross floor area (GFA) of 998m²;
 - Single storey maintenance shed with a GFA of 174m²;
 - Central park with sheltered picnic settings;
 - Outdoor pool, cabana and flexible open space;
 - Dog off-leash park, pickleball court and sheltered picnic settings;
- 26 on-site visitor car parking spaces (including 2 accessible spaces);
- Fencing and security gates;



- 22,700m² of complementary landscaping; and
- Public domain upgrades including pavement widening, installation of a table drain, installation of a 1.5m wide footpath and construction of a new pedestrian central refuge with associated kerb ramps and build out. These works would be secured as a condition of consent.

This EIS describes the Site and Proposal. It also responds to the SEARs and assesses the Proposal in terms of all relevant matters set out in legislation, EPIs and associated planning policies.

The structure of this EIS has been prepared in accordance with the NSW DPHI's *State Significant Development Guidelines – Preparing an Environmental Impact Statement* as follows:

- **PART 1 INTRODUCTION**
- **PART 2 STRATEGIC CONTEXT**
- **PART 3 PROPOSAL DESCRIPTION**
- **PART 4 STATUTORY CONTEXT**
- **PART 5 ENGAGEMENT**
- **PART 6 ASSESSMENT OF IMPACTS**
- **PART 7 PROJECT JUSTIFICATION**

1.2 STATUTORY REQUIREMENTS

The relevant statutory requirements of the Proposal are suitably addressed in **Section 4.1.1** of this EIS.

1.3 MANDATORY CONSIDERATIONS

Mandatory matters for consideration by the consent authority are outlined in **Appendix B** of this EIS.

1.4 SUPPORTING PROPOSAL DOCUMENTATION

Documents provided in support of the Proposal are outlined in **TABLE 1**.

TABLE 1: DOCUMENT SCHEDULE		
Appendix No.	Document Title	Consultant
Appendix A	Secretary's Environmental Assessment Requirements table	Willowtree Planning
Appendix B	Statutory Compliance Table	Willowtree Planning
Appendix C	Community Engagement Table	Willowtree Planning
Appendix D	Mitigation Measures Table	Willowtree Planning
Appendix 1	SEARs	-
Appendix 2	EDC Report	Coutts Cost Consulting
Appendix 3	Title Documents	Various
Appendix 4	Architectural Drawings	King + Campbell
Appendix 5	Design Report	King + Campbell
Appendix 6	Survey Plan	King + Campbell
Appendix 7	BCA and Access Report	Steve Watson & Partners
Appendix 8	Transport Impact Assessment	InRoads Group
Appendix 9	Landscape and Civil Plans	King + Campbell
Appendix 10	ESD Report (Section J Report)	E-LAB
Appendix 11	BDAR Waiver	JB Enviro
Appendix 12	Noise and Vibration Impact Assessment	E-LAB



TABLE 1: DOCUMENT SCHEDULE		
Appendix No.	Document Title	Consultant
Appendix 13	Integrated Water Management Plan	King + Campbell
Appendix 14	Geotechnical Assessment	Hunter Geotechnical Services
Appendix 15	Preliminary Site Investigation	Hunter Geotechnical Services
Appendix 16	Arboricultural Impact Assessment	King + Campbell
Appendix 17	Operational Waste Management Plan	Elephants Foot Consulting
Appendix 18	Aboriginal Heritage Due Diligence Assessment	Heritage Now Pty Ltd
Appendix 19	Preliminary Home Designs	King + Campbell
Appendix 20	Electrical Reticulation Plan	Morleigh Electrical Consulting
Appendix 21	Bushfire Assessment Report	FPA Australia
Appendix 22	Integrated Engagement & Social Impact Assessment	Willowtree Communications
Appendix 23	Kempsey Development Control Plan Assessment	Willowtree Planning
Appendix 24	Owners Consent Forms	-
Appendix 25	Construction & Demolition Waste Management Plan	Elephants Foot Consulting
Appendix 26	Draft Construction Traffic Management Plan	MJ Traffic Planning
Appendix 27	Photomontage Renders	Premier 3D
Appendix 28	BDAR Waiver Confirmation Letter	Department of Climate Change, Energy, the Environment and Water
Appendix 29	BDAR Waiver Approval Letter	Department of Planning, Housing and Infrastructure
Whole document	Environmental Impact Statement	Willowtree Planning

1.5 ESTIMATED DEVELOPMENT COST

The Estimated Development Cost (EDC) of the Proposal, in accordance with the EDC definition under the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulation), is estimated to be \$33,272,800.

A Quantity Surveyors (QS) EDC Report, prepared by Coutts Cost Consulting, is included in **Appendix 2**.

1.6 THE PROPONENT

See **TABLE 2** below for contact details.

TABLE 2: PROPONENT CONTACT DETAILS	
Company Details	The Trustee for South West Rocks Living Unit Trust (ABN 36 317 919 829)
Contact Name	Jim McBirnie
Position	Development Director
Contact Number	0409 782 764
Email Address	jim.mcbirnie@coriodevelopments.com.au



1.7 SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

An application requesting industry-specific SEARs was submitted to the NSW DPHI (reference: SSD-82352708). The SEARs were subsequently issued by NSW DPHI on the 16 April 2025 and are addressed by this EIS.

For reference, the industry-specific SEARs, as issued, are annexed in **Appendix 1** of this EIS. An overview of how the SEARs have been satisfied are outlined in **Appendix A**.

PART 6 of this EIS provides a detailed environmental risk assessment of all SEARs items.

This EIS is also consistent with the minimum requirements for an EIS, as set out in Division 5 of the EP&A Regulation and has considered the *State significant development guidelines - preparing an environmental impact statement*.

PART 2 STRATEGIC CONTEXT

2.1 SITE LOCATION & EXISTING SITE CHARACTERISTICS

The identified portion of land, that is the subject of this EIS is located at 286-310 Gregory Street, South West Rocks, being formally described as Lot 3 DP801467 (the Site).

The Site is currently vacant and has recently been cleared of most vegetation. The southern boundary is fenced, while the remaining Site boundaries remain unfenced. The Site has frontage to Gregory Street to the west, and Racemosa Circuit to the south. The land slopes from the northeast (RL30m) to the southwest (RL6m).

An overhead electricity transmission line runs along the Gregory Street frontage and traverses the Site centrally from west to east. This transmission line is contained within a 20m wide easement. Refer to **Figure 5**.

Two (2) Restrictions on the Use of Land apply to the southern 40m of the Site, designating these areas as an Inner Protection Area and Outer Protection Area. Refer to **Figure 5**. These restrictions limit planting and natural regeneration in accordance with *NSW RFS Planning for Bushfire Protection 2006* (PBP).

The Site and surrounding context are illustrated in **Figure 2** and **Figure 3** below.

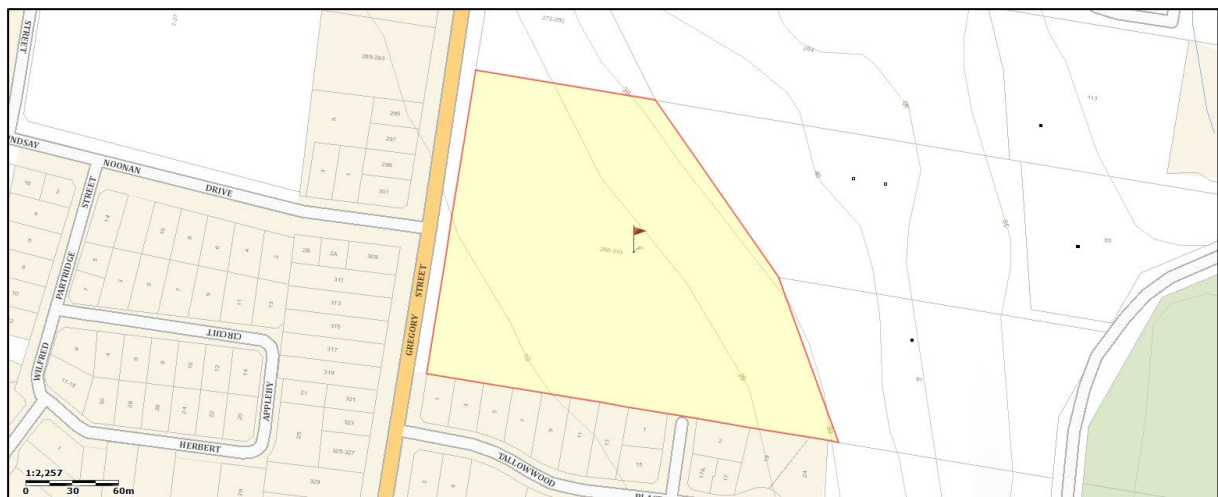


Figure 2. Cadastral Map (Source: SIX Maps, 2025)





Figure 3. Aerial Map (Source: Near Map, 2025)

An overview of the Site characteristics are included in **TABLE 3**, as follows.

TABLE 3: SITE CHARACTERISTICS	
Component	Description
Access	The Site does not have any existing vehicle crossovers. Vehicle access to the Site is achievable from both Gregory Street and Racemosa Circuit.
Topography	The Site generally grades down from northeast to southwest. The highest level is RL 30m AHD, along the northeast boundary. The lowest level on the Site is RL 6m at the southwestern corner of the Site.
Vegetation	Tree removal has recently been undertaken at the Site in accordance with Development Approval T6-14-333. Accordingly, the Site is predominantly cleared of vegetation, except for two (2) trees identified as <i>Eucalyptus microcorys</i> (Tallowwood), located within the southern portion of the Site.
Watercourses, stormwater and flooding	The Site does not comprise any watercourses. The Site is located approximately 400m from Spencers Creek and 1.5km from Macleay River. The Survey Plan provided at Appendix 6 of this EIS identifies a 900mm diameter trunk main located along the Site's frontage to Gregory Street. The lawful point of discharge is a Council grated stormwater pit located within an existing swale in the southwest corner of the Site. An Integrated Water Management Plan (Appendix 13) has been prepared by King + Campbell. Due to the surrounding topography, stormwater from the adjacent catchments naturally drains toward this swale, as shown in Figure 34. Based on the existing landform and observed flow paths, the pre-development sub-catchment arrangement is as follows:



TABLE 3: SITE CHARACTERISTICS

Component	Description
	- Catchments 4.0, 5.0 and 6.0 (northeastern and eastern catchments) generally fall toward the southwest. Stormwater from these areas is assumed to flow through the Site and typically concentrates within the swale in the southwest corner of the Site. This swale conveys flows to Council's 300mm diameter stormwater pipe, which outlets to a grated pit connected to the 900mm diameter trunk main running south along Gregory Street. - Catchments 2.0 and 3.0 (northern catchments) drain in a south westerly direction and concentrate within Council's swale drain located within the Gregory Street road reserve, before entering the same stormwater pit referenced above. - Catchment 7.0 (southern catchment) drains in a north-westerly direction, entering the Site from the south and concentrating within the swale located along the southern boundary. Catchment 7.0 includes the residential lots north of Tallowwood Place. Proposed stormwater quality measures includes two (2) privately managed Atlan basins and two (2) Atlan Ecoceptors, forming the primary elements of the treatment train. Stormwater quantity measures include a detention basin which is designed exclusively for upstream catchment flows and does not contribute to the treatment train for the Proposal.
Wetlands	No mapped local or important wetlands occur within the Site. The closest important wetland site is Saltwater Inlet, a Clybucca Creek Estuary, located within 1.3km south of the Site.
Biodiversity	No areas of outstanding biodiversity value lie within the Site. The Biodiversity Values Map indicates no areas of biodiversity value are present within the Site.
Easements and encumbrances	The Site is burdened by several easements and encumbrances, pertaining to electricity and bushfire protection. Further details are included in Section 2.4 of this EIS.
Heritage	A desktop assessment and visual inspection were undertaken as part of the Aboriginal Heritage Due Diligence Assessment. No AHIMS-registered sites are located within 200m of the Site; however, two burial sites (AHIMS 22-4-0048 and 22-4-0095) are located approximately 300m to the west. Vegetation clearance and erosion have likely reduced the potential for Aboriginal objects on the Site. The Site is not listed on the State Heritage Register (or subject to an interim heritage order) under the <i>NSW Heritage Act 1977</i> and is not identified as an item of environmental heritage or heritage item on any EPIs.
Archaeology	The Site is not listed on the State Heritage Register (or subject to an interim heritage order) under the <i>NSW Heritage Act 1977</i> and is not identified as an item of environmental heritage or heritage item on any EPIs.



TABLE 3: SITE CHARACTERISTICS

Component	Description
	The Site has remained largely undeveloped. The previous development consent did not raise any issues or concerns relating to archaeology and incorporated one (1) condition (Condition 29) that related to a specific area regarding Aboriginal archaeology during the excavation and construction works. Substantial earthworks have recently been undertaken under the previous development consent (Ref: T6-14-333), which did not identify any potential archaeology. Therefore, a Statement of Heritage Impact or an Archaeological Assessment is not required.
Hydrology and geology	A Geotechnical Assessment (Appendix 14) was undertaken. Subsurface conditions are typical of granitic terrain and include variable depths of topsoil, colluvial and residual soils, weathered granite, and granite-derived clays. Large granite boulders, some up to 3m in diameter, were encountered within the upper slopes. A kaolinite rich, highly plastic clay layer of low shear strength was observed in parts of the Site, particularly near the natural slope breaks. Groundwater seepage and perched water tables were observed at varying depths during fieldwork, particularly along the eastern and southeastern boundaries where spring activity was noted.
Salinity	There is no identified salinity within, or adjacent to, the Site.
Acid Sulfate Soils	The Site is mapped as comprising Class 5 acid sulfate soils and is within approximately 300m of Class 2 acid sulfate soils. Refer to Figure 36 .
Contamination	A Preliminary Site Investigation (PSI) at Appendix 15 identified Colluvial Clay/Sand, Residual Saprolite/Clay, and Granite within the Site. No contamination or asbestos-containing materials (ACM) were detected. Based on these findings, it is deemed that the Site is suitable for the proposed residential development and that a Detailed Site Investigation (DSI) is not required in this instance.
Services and Infrastructure	The Site has benefit of full urban servicing as the Site adjoins a recently constructed subdivision at Tallowood Place and Racemosa Circuit. All services will be extended from Gregory Street and Racemosa Circuit as appropriate.
Bushfire Prone Land	The Site is mapped as Bushfire Prone Land comprising Vegetation Category 1 and Vegetation Buffer, as shown in Figure 44 .
Other Site Considerations	The southeastern corner of the Site is mapped as Scenic Protection Land, as shown in Figure 25. The Site and/or adjacent lots are not affected by land reserved for acquisition. The Site is not affected by environmentally sensitive land or critical habitat.



The location of the Site and existing site development are depicted in **Figure 2** and **Figure 3** above.

2.2 DEVELOPMENT HISTORY

TABLE 4 below provides a summary of the DAs, pertaining to the Site and of relevance to the Proposal, that have been determined or are under assessment.

TABLE 4. EXISTING CONSENTS		
DA Reference	Summary	Approval Date
T4-85-147	Advertising sign	Surrendered
T6-14-333	Forty-six (46) lot subdivision	8 July 2015
T6-14-333 REV01	Forty-six (46) lot subdivision. 96(l) modification involving minor error, misdescription or miscalculation	28 Nov 2017

Development Approval T6-14-333 was granted in 2015 for a 46 lot residential subdivision on the Site. The approved subdivision layout, as shown in **Figure 4** includes:

- 46 residential lots, comprising 30 lots in Stage 1 and 16 lots in Stage 2, with lot sizes ranging from approximately 540m² to 1,200m².
- Primary vehicular access onto Gregory Street via a priority-controlled T-intersection near the northern Site boundary.
- Secondary vehicular access via a connection to Racemosa Circuit to the south.
- Frontage works along the entire Gregory Street frontage, including pavement widening, a table drain, and a 1.5m wide footpath, which would be secured as a condition of consent.
- A new pedestrian crossing north of Lindsay Noonan Drive, incorporating kerb ramps, kerb build-outs, and a pedestrian refuge in the centre of Gregory Street.

The Proposal has been designed with consideration of the previously approved T6-14-333 subdivision.

Site preparation works, including tree removal, was completed in accordance with the T6-14-333 approval. However, T6-14-333 is intended to be surrendered, as the current Proposal is sought as an affordable alternative for the over 50's community.



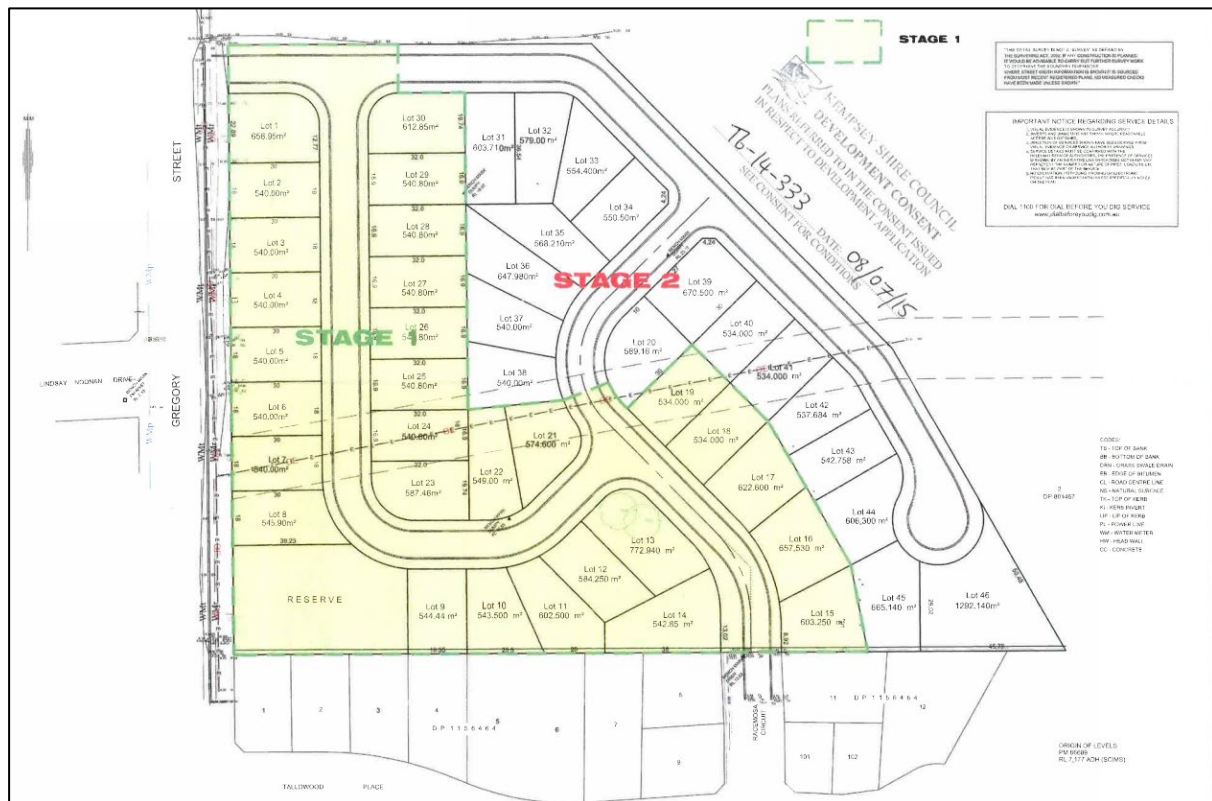


Figure 4. T6-14-333 Approved Plans (Source: Kempsey Shire Council, 2025)

2.3 LAND OWNERSHIP

The land that is the subject of this SSDA, is owned by the following entities.

TABLE 5: REGISTERED LAND OWNERS	
Lot/DP	Registered Land Owner
Lot 3 DP801467	South West Rocks Living Pty Ltd

Land owners consent has been obtained from all entities.

2.4 EASEMENTS AND ENCUMBRANCES

The encumbrances noted within the Certificate of Title and Title Diagram of lots described in **Section 2.3** above are summarised in **TABLE 6**, and a copy of the relevant documents included in **Appendix 3**.

TABLE 6: ENCUMBRANCES ON TITLE	
Reference	Description and Location
DP801467	Easement for transmission of electricity (20m wide)
AF620432	Restrictions on the use of the land (10m wide and 30m wide)

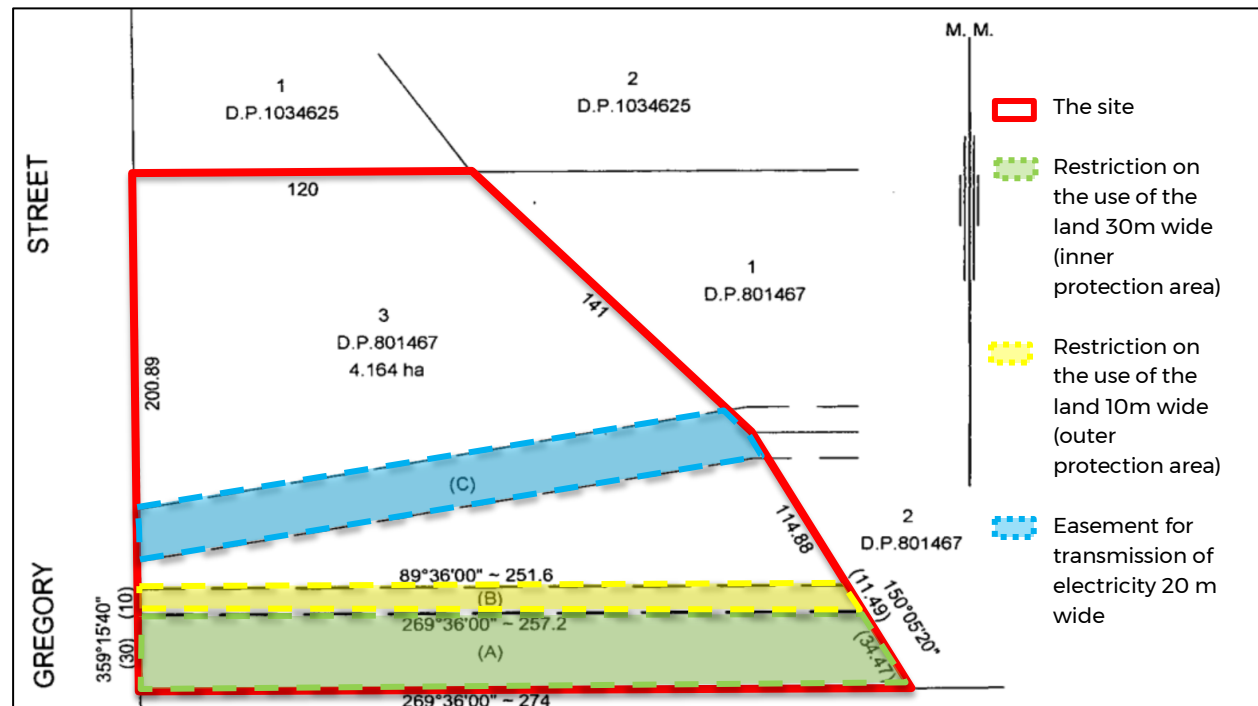


Figure 5. Deposited Plan (Source: Office of Registrar General (edited), 2025)

The Proposal has been designed having regard to the abovementioned easements and encumbrances.

2.5 SITE CONTEXT

The Site is located within a predominately low density residential area with Rocks Central Shopping Centre located 300m north of the Site. The Rocks Central Shopping Centre serves as the primary retail hub, featuring a Coles, pharmacy, bottle shop, bakery, gym, and café.

The Site is located 2km from the township of South West Rocks, 800m from South West Rocks Country Club, 200m from Hat Head National Park, 1.5km from Macleay River, and 400m from Spencers Creek.

The Site benefits from convenient access to public transport and the wider road network. The nearest bus stop is located at Rocks Central Shopping Centre, which is serviced by Route 350, operating between South West Rocks and Kempsey via Smithtown and Frederickton, and Route 476, providing connections to Macleay Vocational. Gregory Street, which forms part of Road 460, is a classified Regional Road linking the Pacific Highway (HW10) at Clybucca to South West Rocks via Plummers Lane, South West Rocks Road, and Gregory Street.

Refer to **Figure 6** below.

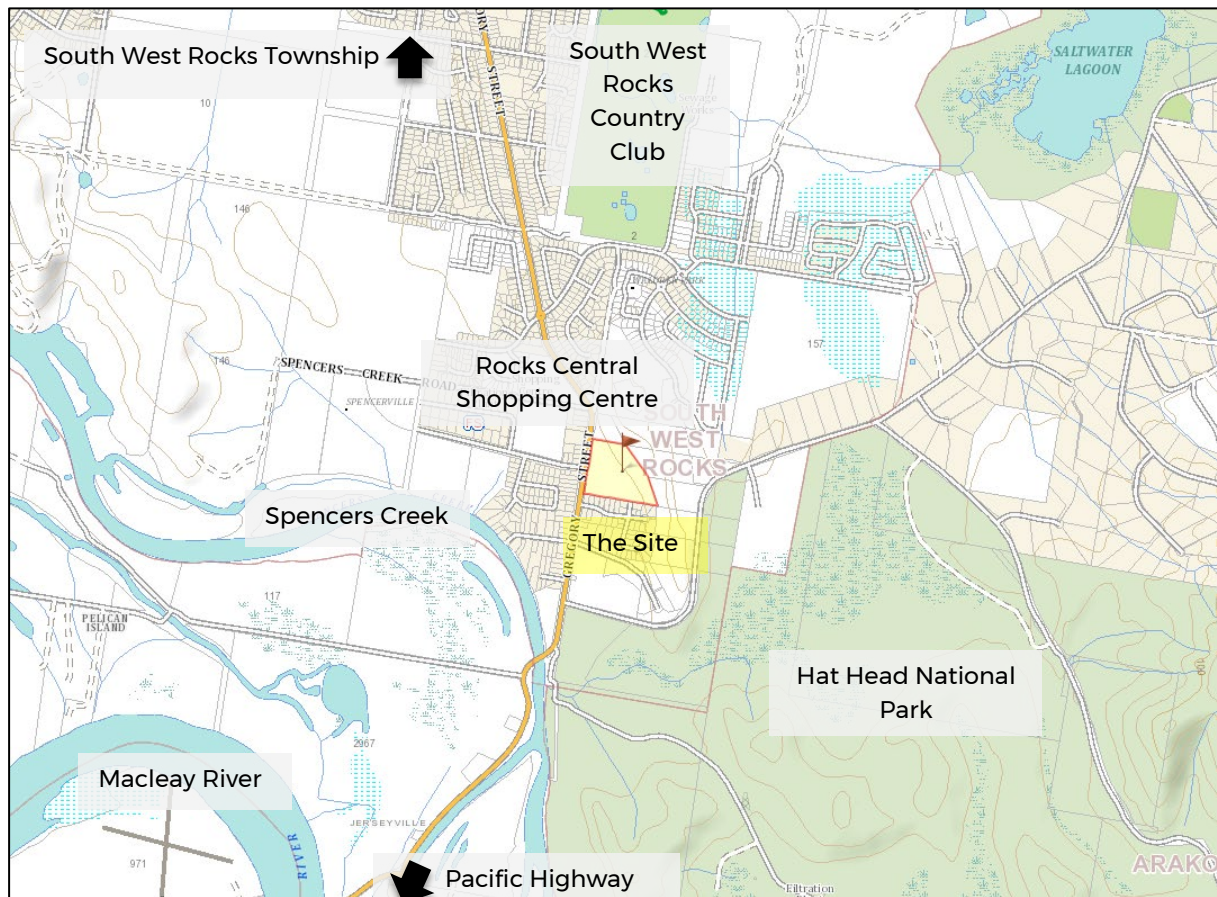


Figure 6. Site Context Map (Source: SIX Maps, 2025)

A visual representation of the surrounding land is included in **Figure 1**, **Figure 7** and **Figure 8**, which demonstrate the context of the current Site conditions from Gregory Street, noting tree removal has been undertaken at the Site following the capture of these images.



Figure 7. Site as Viewed from Northern Gregory Street (Source: Google Street View, 2025)



Figure 8. Site as Viewed from Southern Gregory Street (Source: Google Street View, 2025)

2.5.1 Relevant Future Projects

The following relevant future projects have been identified within proximity of the Site:

- The staged concept development application for residential and serviced apartments x 9 (5-6 storeys) with a mix of commercial premises at Lot 2 Phillip Drive, South West Rocks under **DA2300926**. The concept DA was refused by Kempsey Shire Council on 29/11/2024 on nine (9) grounds. The concept DA is currently at appeal at the NSW Land and Environment Court 2024/00252212. This project is over 2km from the Site to the north east.
- The Seascope Grove Subdivision at Belle O'Connor Street, South West Rocks under **MP05_0018** (approved on 20/06/2007) and **MP07_0129** (approved on 02/03/2010) has been completed and construction of dwellings within each of the 162 residential lots is underway via separate approvals pathways. This project is approximately 200m to the north east of the Site.
- The staged lot subdivision into 46 lots at Lot 2 Gregory Street, South West Rocks under **MP05_0058** (approved on 12/12/2007) has yet to be completed. This project is approximately 185m to the south of the Site.
- A staged lot division into 270 lots at Belle O'Connor Street, South West Rocks under **MP08_0167** (approved on 03/06/2011) is currently under construction. This project is approximately 600m to the north of the Site.

The potential cumulative impacts of the above projects are addressed in **Section 6.2** of the EIS in accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects*.

2.6 STRATEGIC PLANNING CONTEXT

2.6.1 NSW 2021

The *NSW 2021* is a 10-year plan to guide policy and budget decision making and, in conjunction with the NSW Budget, to deliver on community priorities. It sets long-term goals and measurable targets, which outlines immediate actions to achieve these goals. These reflect the Government's commitment to whole-of-state growth and delivery, to improve opportunities and quality of life for people in regional and metropolitan New South Wales. *NSW 2021* includes the following goals:

- Goal 5 – Place downward pressure on cost of living
 - Improve housing affordability and availability.
- Goal 20 – Build Liveable Cities

The Proposal would assist in providing a range of housing opportunities, including the provision of housing for over 50's within regional NSW.



2.6.2 Housing 2041 – NSW Housing Strategy

The *Housing 2041 – NSW Housing Strategy* (Housing 2041), represents a 20 year vision for housing in NSW and sets goals and ambitions to deliver better housing outcomes by 2041, including housing in the right locations, housing that suits diverse needs and housing that feels like home. The four key pillars of housing need are supply, diversity, affordability and resilience. Housing 2041 aims to:

- Deliver housing supply in the right locations, at the right time
- Provide housing that is diverse and meets varied and changing needs;
- Provide housing that is affordable and secure; and
- Deliver enduring and resilient housing.

The Proposal would allow for housing supply within an existing zoned and largely cleared Site, which would become available in response to the increasing demand. The Proposal enables the opportunity for a diverse mix of housing typologies, including one (1) bedroom to four (4) bedroom units, specifically to over 50's, where there is significant demand for in this area. The Proposal will meet the sustainability targets of NSW. The Proposal is considered to align with the aims of Housing 2041.

2.6.3 North Coast Regional Plan 2041

The *North Coast Regional Plan 2041* (Regional Plan) establishes a 20-year strategic framework for land use planning in the region. It aims to protect and enhance the area's assets while planning for a sustainable future. The Regional Plan addresses key challenges and opportunities identified over the last five years and covers all aspects of land use, including employment areas, town centres, housing, infrastructure, the natural environment, and hazards.

The Regional Plan identifies three (3) overarching goals and 20 objectives. The Proposal is aligned with the following objectives:

- *Objective 1: Provide well located homes to meet demand*
The Site's location near Rocks Central Shopping Centre ensures it meets housing demand in a well-connected area, offering accessibility to amenities and services.
- *Objective 2: Provide for more affordable and low cost housing*
The Proposal enables affordable housing for the over-50's, where residents own the homes but lease the land, reducing the financial burden typically associated with homeownership.
- *Objective 16: Increase active and public transport usage*
The Site's proximity to bus services encourages the use of public transport, reducing reliance on private vehicles and supporting sustainable transport options for residents.

The Kempsey Narrative within the Regional Plan includes the following:

- Deliver housing at South West Rocks, in addition to West and South Kempsey.
- Maintain the unique character of the area's towns and villages.
- Develop opportunities to achieve a diverse range of housing products across multiple towns that are fit for purpose.

The Proposal would assist in delivering housing in South West Rocks, would not impact on the character of the town in a negative way and would increase the diversity of housing products.

The Proposal aligns with the objectives of the Regional Plan and supports the strategic vision for Kempsey, delivering purpose-built housing in South West Rocks that preserves the town's unique character.



2.6.4 2042 Your Future Community Strategic Plan

The *2042 Your Future Community Strategic Plan 2022* (CSP), outlines a 20 year plan for the Kempsey Shire Community. The CSP outlines four focus areas including:

- Enhancing and protecting our natural and built environment;
- Boosting and evolving Kempsey shire's prosperous economy;
- Creating and celebrating a supportive, connected community; and
- Valuing, informed leadership that engages and inspires the community.

The Proposal would ensure that the surrounding natural environment is retained and protected, with the Site already mostly cleared of vegetation. The Proposal envisages additional landscaped elements which would enhance the natural environment, including the planting of 196 new trees. The Proposal would be further developed via subsequent separate applications for each individual dwelling site within the Site to ensure a high quality outcome that respects the existing and future character of the area.

The Proposal would continue to boost the local economy, providing jobs through both the construction and operational phases. The Proposal would further develop a community that is connected and can utilise shared spaces on the Site.

2.6.5 Future Macleay - Growth & Character Local Strategy Planning Statement 2020-2040

The *Future Macleay - Growth & Character Local Strategy Planning Statement 2020-2040* (LSPS) applies to the Site. The LSPS outlines Kempsey Shire's 20-year land use vision, setting out planning priorities and actionable responses to meet economic, social, cultural, and environmental needs.

The LSPS identifies the population of the LGA is anticipated to increase by 15% from 2016 to 2036. Census data identifies that 24% of the Kempsey Shire's population is in the 65+ years age group and this is the area's fastest growing age group. Additionally, 29% of the Shire's households are single/sole occupant while the dominant household size is two persons. While the Shire's dominant housing type is predominantly 3-bedroom detached dwellings, the forecast greatest change in demand for household types (over the period 2016 to 2036) is the categories 'couples without dependants' and increasingly 'lone person households'.

Each planning priority is categorised within one of the four (4) following themes:

- Theme 1: Healthy Environment
- Theme 2: Wealthy Economy
- Theme 3: Connected Communities
- Theme 4: Safe and Suitable Housing

The Proposal is aligned with planning priorities of Theme 1, Theme 3 and Theme 4 as follows:

- ***Planning priority Healthy Environment 1: Deliver growth that does not compromise the Shire's rich biodiversity***
The Proposal incorporates sustainable design practices, mitigating potential impacts on biodiversity by minimising land disturbance.
- ***Planning priority Healthy Environment 2: Rehabilitate and enhance biodiversity, coastal and aquatic habitats, and water catchments***
The Proposal contributes to enhancing local ecosystems through integrated landscaping and water management solutions.



- **Planning priority Safe & Suitable Housing 1: Plan for housing demand**
The Proposal addresses housing demand for the over-55s, providing 101 new homes for the area. The Proposal is targeted for smaller housing typologies appropriate for 'couples without dependants' and 'lone person households' which are identified as a growing demographic within the LGA.
- **Planning priority Safe & Suitable Housing 3: Deliver more opportunities for affordable housing**
The Proposal offers affordable housing by enabling residents to own their homes while leasing the land, making homeownership more accessible.
- **Planning priority Connected Communities 2: Provide great places to live and work**
The Proposal enhances the community by providing a well-located residential area with access to local amenities and services, fostering a high quality of life.

The Proposal aligns with the strategic direction of the LSPS for South West Rocks by contributing to the planned residential growth within the area. The Proposal fosters sustainability by promoting walkability and upgrades to active transport routes. The Proposal supports the objective to maintain the village atmosphere and guide development within this greenfield Site.

2.6.6 Kempsey Local Growth Management Strategy

The *Kempsey Local Growth Management Strategy 2041* (KLGMS) applies to the Site and notes the following projections for South West Rocks:

- Average annual growth rate of 1.9% for housing (highest in the LGA);
- Average annual employment growth rate of 1.4%;
- Vision to maintain its coastal setting, lifestyle and promote key tourism destinations as a major attractor to the town;
- To accommodate an additional 1,580 dwellings to 2041;
- To facilitate 500 additional jobs between 2016-2041.

The Proposal will include the provision of housing to support a considerably high growth rate. The Proposal would directly respond to the need to accommodate an additional 1,580 dwellings including providing a diversity of dwellings and would assist in creating additional jobs during construction and ongoing through operation.

The KLGMS also aims to ensure that South West Rocks:

- maintains its picturesque coastal setting through the management of development height, scale and density and protection of significant vegetation and key scenic view corridors;
- is the key coastal lifestyle and tourism township for Kempsey Shire, providing a range of housing densities and types, supported by commercial, retail and industrial development appropriate for the scale of the township; and
- Does not allow growth in residential development to occur at the expense of maintaining important scenic and environmental values.

The Proposal has been developed to ensure that the modest heights proposed do not impact on key scenic view corridors, and to maintain South West Rocks coastal setting. The Proposal would significantly increase the housing typologies available within South West Rocks. The Proposal would not result in any impacts to biodiversity within or surrounding the Site.

Within the KLGMS it notes that *"the South West Rocks Structure Plan will address the ability for South West Rocks to accommodate an additional 1580 dwellings to 2041, including approximately 200 semi-detached and approximately 360 flats/apartments. This includes changes to the Kempsey LEP building heights which have been proposed in Appendix A (Table 2) of the South West Rocks Structure Plan"*.



The Proposal will provide 101 dwelling sites within South West Rocks, which would directly target the requirements of the KGLMS.

2.6.7 South West Rocks Structure Plan 2023

The *South West Rocks Structure Plan 2023* (Structure Plan) aims to balance accommodating growth while retaining the existing character of the place. The Structure Plans vision is outlined below:

The picturesque coastal setting of South West Rocks is maintained through the management of development height, scale and density, and the protection of significant vegetation and key scenic views corridors. In addition to its distinctive natural setting and coastal landforms, the character of the town is also strongly influenced by its Aboriginal cultural and maritime heritage. The vision also seeks to continue to improve the quality of the public realm and deliver street tree planting throughout residential areas to improve the pedestrian amenity of the whole town.

The Site is identified within the Structure Plan as a 'Future residential growth area'. The Proposal would deliver 101 dwelling sites for manufactured homes. The Structure Plan also identifies surrounding areas as 'Existing settlement'. The Site is identified as being within the Spencerville neighbourhood, with one of the principles for this neighbourhood to 'introduce a range of dwelling types including terraces and apartments' and an "opportunity to take advantage of low scale infill development in the form of multi-dwelling housing within the existing zoning allowance". The Proposal would provide a range of housing sizes in the form of a manufactured housing estate and also qualifies as a form of multi-dwelling housing.

2.7 SITE SUITABILITY

The Site is located within an established residential area and is zoned R1 General Residential and R3 Medium Density Residential under the KLEP2013. The Proposal would facilitate the intended use of the Site for residential purposes, which is consistent with the zoning and the surrounding context.

The Proposal falls within the definition of 'multi dwelling housing', being *3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building*, which is permissible with consent in the R1 General Residential and R3 Medium Density Residential zones, pursuant to the KLEP2013. Further, the KLEP2013 states that for both R1 General Residential and R3 Medium Density Residential zones, uses that are permitted with consent include *"any other development not specified in item 2 (permitted without consent) and 4 (prohibited)"*.

As the Proposal is for a manufactured home estate within a land lease community, the proposed use is permissible at the Site on the basis that a 'manufactured home estate' is an innominate description (i.e. falling within the *"any other development not specified in item 2 (permitted without consent) and 4 (prohibited)"* criteria) for the purposes of the KLEP2013 and therefore permitted with consent under R1 and R3 zoning.

The Site is suitable for the size and scale of the development proposed and represents a quality outcome to facilitate a residential development that is commensurate to the surrounding area and its existing built form.

In summary, the Site is highly-suited to accommodate the intended development based on the following factors:

- KLEP2013 allows for the Proposal as a permissible use;
- The Site is readily accessible via the regional road network;
- The Proposal is compatible with surrounding development and local context;



- The Site can be serviced immediately and at no cost to Government;
- The Proposal causes minimal impact on the environment;
- The proposed built form is designed to mitigate any impacts on surrounding properties; and
- The Proposal is consistent with strategic intent of the area.

The following key elements of the Site and Proposal are noted:

2.7.1 Visual Impact

The Proposal provides a suitable suburban design outcome that reflects the existing locality and will not result in any unacceptable visual impact and would not infringe upon or harm the Scenic Protection Land located immediately to the north east of the Site. Refer to **Section 6.1.8** of this EIS for further detail.

2.7.2 Infrastructure

The Site is suitably located with access to infrastructure and utility services – refer to **Section 6.1.26** of this EIS.

2.7.3 Transport, Traffic and Accessibility

The Site is well connected to existing road connections. The Proposal's primary vehicular access will be from Gregory Street. The driveway design accommodates the largest expected service vehicle. The TIA swept path analysis confirms that a 12.5m Heavy Rigid Vehicle (HRV) can also navigate the Site if necessary. The Proposal will be a gated community, with security gates positioned 12m inside the property boundary to allow adequate queuing space. Given the expected vehicle arrival rates during peak hours, this design is sufficient to prevent congestion on Gregory Street. A secondary emergency-only access will be provided from Racemosa Circuit.

Pedestrian connectivity will be significantly enhanced through the following measures:

- A new 1.5m wide footpath along the entire Gregory Street frontage
- A pedestrian crossing north of Lindsay Noonan Drive, incorporating:
 - Kerb ramps for accessibility
 - Kerb build-outs to shorten crossing distances
 - A pedestrian refuge in the centre of Gregory Street

These improvements align with Council's Pedestrian Access and Mobility Plan (PAMP), enhancing pedestrian safety and connectivity. These improvements would be secured as a condition of consent.

Regarding the road design within the Site, all proposed road widths achieve the minimum recommendations stipulated in the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

Refer to **Section 6.1.9** of this EIS for further detail.

2.7.4 Cultural Heritage

No Aboriginal sites, objects or areas of Aboriginal archaeological potential exist within the boundaries of the Site.

The Site does not contain any heritage items or within a heritage conservation area, nor is the Site in proximity of either a heritage item or heritage conservation area.

The Site has remained largely undeveloped and substantial earthworks have recently been undertaken under the previous development consent (Ref: T6-14-333), which did not identify any potential archaeology.

Therefore, a Statement of Heritage Impact or an Archaeological Assessment is not required.



Refer to **Section 6.1.21** of this EIS for further detail.

2.7.5 Stormwater and Flooding

Due to the surrounding topography, stormwater from the adjacent catchments naturally drains toward an existing swale in the southwest corner of the Site. Based on the existing landform and observed flow paths, the accompanying Integrated Water Management Plan (IWMP) (**Appendix 13**) identifies that the pre-development sub-catchment arrangement is as follows:

- Catchments 4.0, 5.0 and 6.0 (northeastern and eastern catchments) generally fall toward the southwest. Stormwater from these areas is assumed to flow through the Site and typically concentrates within the swale in the southwest corner of the Site. This swale conveys flows to Council's 300mm diameter stormwater pipe, which outlets to a grated pit connected to the 900mm diameter trunk main running south along Gregory Street.
- Catchments 2.0 and 3.0 (northern catchments) drain in a south westerly direction and concentrate within Council's swale drain located within the Gregory Street road reserve, before entering the same stormwater pit referenced above.
- Catchment 7.0 (southern catchment) drains in a north-westerly direction, entering the Site from the south and concentrating within the swale located along the southern boundary. Catchment 7.0 includes the residential lots north of Tallowood Place.

Proposed stormwater quality measures includes two (2) privately managed Atlan basins and two (2) Atlan Ecoceptors, forming the primary elements of the treatment train. Stormwater quantity measures include a detention basin which is designed exclusively for upstream catchment flows and does not contribute to the treatment train for the Proposal.

The post-development stormwater discharge rates remain below the pre-development rates for the 20%, 5%, and 1% AEP storms.

The IWMP confirms that the proposed strategy effectively mitigates both stormwater quantity and quality impacts, meeting the stormwater objectives of the KDCP2013.

Refer to **Section 6.1.11** and **Section 6.1.19** of this EIS for further detail.

2.7.6 Summary of Site Suitability

The Site's consistency with applicable regional and local strategies is demonstrated in the comprehensive environmental assessment, provided in **PART 6** of this EIS, which includes an analysis of all potential impacts, which has been informed by the relevant consultant reports. Accordingly, the environmental assessment prescribes recommendations and mitigation measures (where necessary), to account for all identified potential impacts, by the Proposal. The suitability of the Site regarding the Proposal, can be attributed to its ready ability to provide additional housing and housing diversity, its excellent access arrangements, its suitable contextual setting, and its minimal impact on the environment.

Accordingly, this EIS prescribes recommendations and mitigation measures (where necessary), to account for all identified potential impacts, by the Proposal. The suitability of the Site to cater for the Proposal, can be attributed to:

- its ability to provide additional housing and housing diversity,
- its excellent access arrangements,
- its suitable contextual setting, and
- its minimal impact on the environment.

Section 2.7 of this EIS demonstrates the Site's suitability for the Proposal.



PART 3 PROPOSAL DESCRIPTION

3.1 OBJECTIVES OF THE PROPOSAL

The aim of the Proposal is to provide a master planned Land Lease Community Estate for over 50's, offering accessible, low-maintenance housing within a landscaped setting, resulting in:

- The delivery of age-appropriate housing that supports ageing in place and lifestyle independence;
- Increased housing diversity within the locality to respond to changing demographic needs;
- Creation of a socially inclusive environment with high-quality shared facilities and recreational spaces;
- Enhancement of the natural landscape through extensive planting and public domain upgrades;
- Provision of essential infrastructure and services to ensure long-term functionality and resident amenity;
- Ensure minimal environmental and amenity impact; and
- Provide suitable mitigation measures where required, to minimise any unforeseen impacts arising in the future.

The Site and Proposal are considered to meet the objectives of the Proposal, as it allows for development that would be suitably located and zoned for such permissible purposes.

3.2 PROPOSAL OVERVIEW

This SSDA seeks consent for the construction and operation of a Land Lease Community Estate for over 50's comprising 101 dwelling sites, community facilities for residents and associated infrastructure and amenities. The Proposal comprises the following aspects of development:

- Use of the Site as multi dwelling housing;
- Bulk earthworks and retaining comprising 22,500m³ of cut and 27,500m³ fill;
- Removal of two (2) trees and planting of 196 new trees;
- Relocation of high voltage overhead cables;
- Installation of stormwater systems, electricity, potable water, sewerage and telecommunication lines;
- Construction of internal roadways;
- Construction of vehicle access via Gregory Street and Racemosa Circuit (emergency access only);
- Construction of community facilities involving a:
 - Two (2) storey community building with a gross floor area (GFA) of 998m²;
 - Single storey maintenance shed with a GFA of 174m²;
 - Central park with sheltered picnic settings;
 - Outdoor pool, cabana and flexible open space;
 - Dog off-leash park, pickleball court and sheltered picnic settings;
- 26 on-site visitor car parking spaces (including 2 accessible spaces);
- Fencing and security gates;
- 22,700m² of complementary landscaping; and
- Public domain upgrades including pavement widening, installation of a table drain, installation of a 1.5m wide footpath and construction of a new pedestrian central refuge with associated kerb ramps and build out.

The Proposal is further discussed in the following sections and detailed in the Architectural Drawings prepared by King + Campbell (**Appendix 4**) and Landscape and Civil Plans prepared by King + Campbell at **Appendix 9**. Photomontages of the Proposal are shown in **Figure 9**, **Figure 10** and **Figure 11** below.





Figure 9. Photomontage of Proposal from Gregory Street (Source: King + Campbell, 2025)



Figure 10. Photomontage of Proposal from within the Site (Source: King + Campbell, 2025)



Figure 11. Photomontage of Proposal from above facing north west (Source: Premier 3D, 2025)

The key details regarding the Proposal are outlined in **TABLE 7** below.

TABLE 7: PROPOSAL PARTICULARS	
Project Element	Proposal Particular
Site Area	Approximately 4.16 ha
General	The Proposal is considered SSD, pursuant to Clause 4(1)(g) of SSD Order No.3 2025, being development specified in EOI application 233998 dated 24 January 2025 including development for the purposes of multi dwelling houses at 286-310 Gregory Street, South West Rocks, Lot 3/DP801467.
Primary Land Use	Residential
Operation	Land Lease Community Estate (multi dwelling housing)
Gross Floor Area (GFA)	- Community building = 998m² - Maintenance shed = 174m² Total GFA = 1,172m ²
Floor Space Ratio	0.03 : 1
Building Height	- Community building = 8.49m - Maintenance shed = 4.8m
Number of Storeys	Two (2) storeys
Tree Removal	Two (2) trees 196 new trees to be planted.
Canopy cover	5,760m ²
Landscaping	22,700m ² (54.57% of the Site) with 196 trees proposed to be planted



TABLE 7: PROPOSAL PARTICULARS	
Project Element	Proposal Particular
Earthworks	22,500m ³ of cut and 27,500m ³ fill (5,000m ³ to be imported)
Vehicular access	The Proposal's primary vehicular access will be from Gregory Street and will accommodate the largest expected service vehicle. A secondary emergency-only access will be provided from Racemosa Circuit.
Car parking	26 visitor car parking spaces (including 2 accessible parking spaces)
Infrastructure and Services	The Proposal involves the installation of stormwater systems, electricity, potable water, sewerage and telecommunication lines to provide connections to future homes. The existing overground transmission cables transversing the Site are proposed to be relocated underground and realigned to follow the proposed internal driveway. The associated easement will be amended in accordance with the electricity authorities' requirements.
EDC	\$33,272,800

3.3 PROPOSAL DESCRIPTION

3.3.1 Proposal Area

The Proposal involves works to the entirety of the Site and the road frontage to Gregory Street. Refer to **Figure 12**.

Frontage works along Gregory Street will include pavement widening, a table drain, and a 1.5m wide footpath. Additionally, a new pedestrian crossing north of Lindsay Noonan Drive will feature kerb ramps, kerb build-outs, and a central pedestrian refuge. These improvements align with Council's Pedestrian Access Management Plan and will enhance pedestrian connectivity in the area and would be secured as a condition of consent. Refer to **Figure 13**.





Figure 12. Aerial Map of Development Area (Source: Near Map, 2025)



Figure 13. Proposed Site Plan (Source: King + Campbell, 2025)

3.3.2 Physical Layout and Design

3.3.2.1 Site Preparation Works

The Proposal seeks to undertake bulk earthworks, the removal of two (2) trees and the removal of the overground high voltage transmission cables transversing the Site to facilitate the Proposal.

The bulk earthworks proposed are detailed at **Figure 14**. A series of tiered retaining walls up to 4m in height are proposed throughout the Site.

The two (2) remaining trees within the Site are proposed to be removed as identified in **Figure 13** above.

The transmission lines are proposed to be relocated underground and realigned to follow the proposed internal driveway as shown in **Figure 15**. The associated easement will be amended in accordance with the electricity authorities' requirements. Refer to **Appendix 20**.

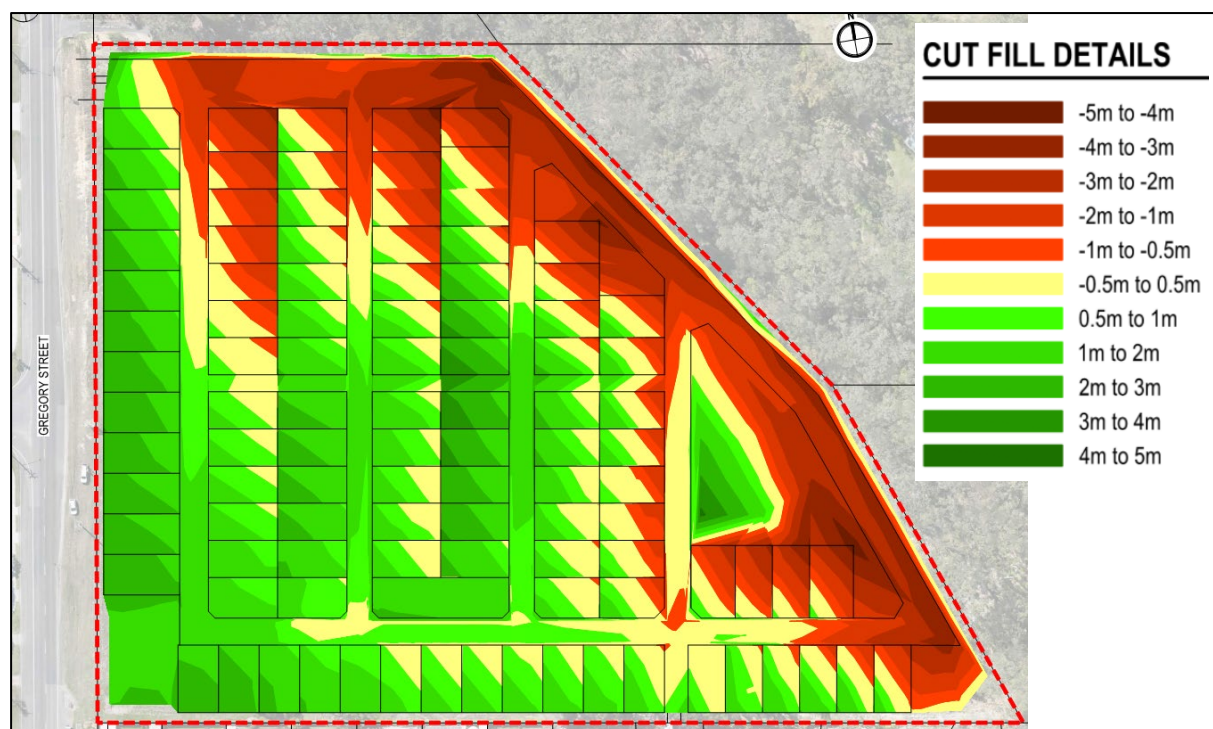


Figure 14. Earthworks Plan (Source: King + Campbell, 2025)

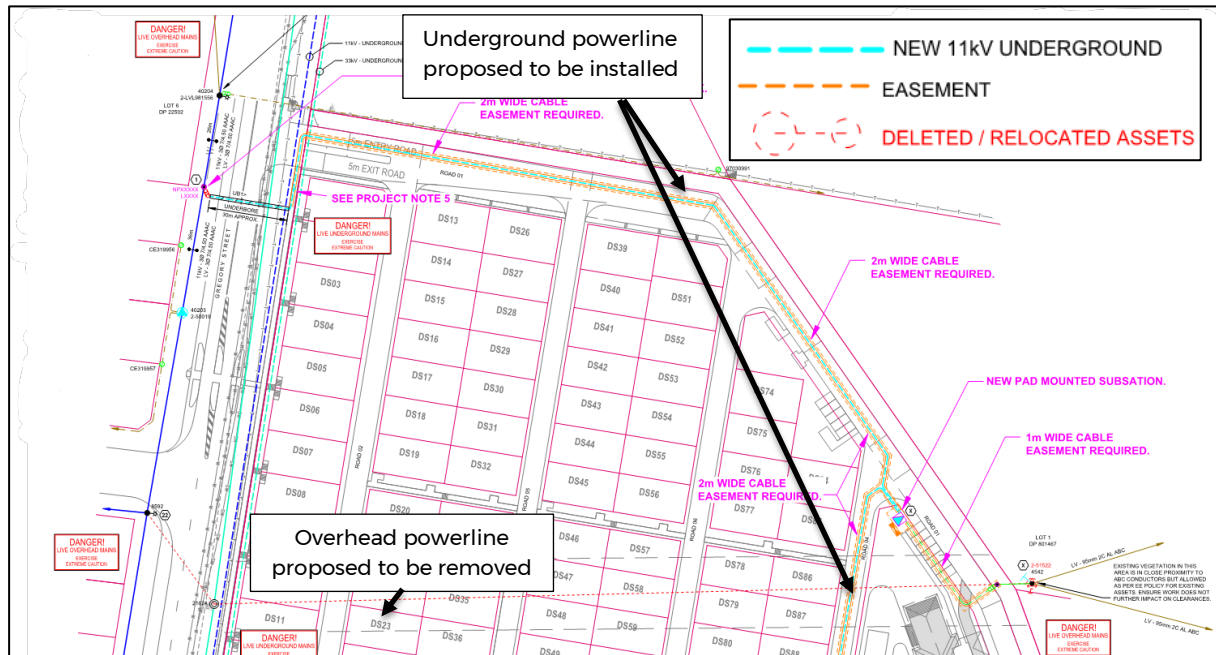


Figure 15. Essential Energy Reticulation Plan (Source: King + Campbell, 2025)

3.3.2.2 Servicing

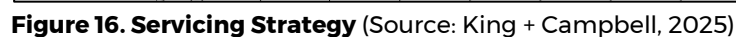
The Proposal involves the installation of stormwater systems, electricity, potable water, sewerage and telecommunication lines to provide connections to future homes.

The stormwater servicing strategy includes the installation of water quality treatment devices (Atlan basin and Atlan Ecoceptor class 3 GPT) and a 350m³ stormwater detention tank, which will be located below the proposed pickle ball courts.

The location of proposed stormwater, potable water and sewerage is identified in **Figure 16** below.

The electricity servicing strategy involves the installation of underground electricity lines, low-voltage (LV) pillars, a pad mounted substation and a Main Distribution Switchboard (MSB). Further details of the proposed electricity servicing strategy are provided at **Appendix 20**.





Primary vehicular access to the Site is proposed from Gregory Street, adjacent to the northern boundary, with a secondary emergency access from Racemosa Circuit to the south.

The Racemosa Circuit access will be secured by a locked gate or removable bollard, restricting use to emergency vehicles and pedestrians only.

3.3.2.4 Community Facilities Built Form

- Central park with sheltered picnic settings
- Outdoor pool, cabana and flexible open space
- Community building/clubhouse
- Dog off-leash park, pickleball court and sheltered picnic settings

The clubhouse is proposed to be built into the existing terrain and will be viewed as a single storey building from the east and a two (2) storey building from the west, refer to **Figure 18**, **Figure 19** and **Figure 20**. The clubhouse comprises a gym, lounge, golf simulator, amenities, storage, workspace/library, meeting room, managers office, kitchen and bar.

A single storey maintenance shed is proposed within the south-eastern corner of the Site. Access to this maintenance shed will be restricted to staff of the Land Lease Community operator.



ENVIRONMENTAL IMPACT STATEMENT

BROADLANDS SOUTH WEST ROCKS

286-310 Gregory Street, South West Rocks (Lot 3 DP801467)

SSD-82352708

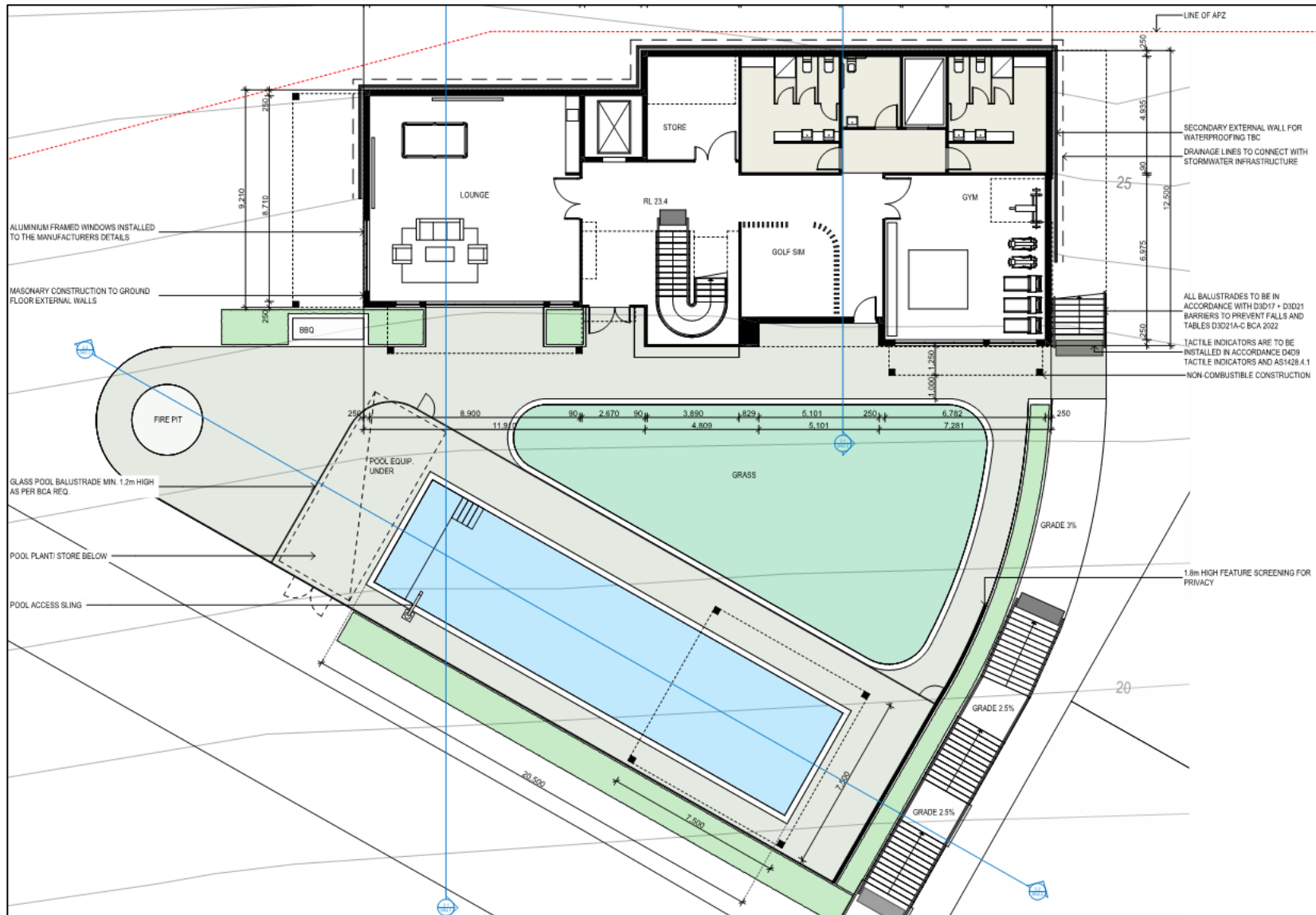


Figure 17. Proposed Clubhouse Ground Floor Plan (Source: King + Campbell, 2025)



ENVIRONMENTAL IMPACT STATEMENT

BROADLANDS SOUTH WEST ROCKS

286-310 Gregory Street, South West Rocks (Lot 3 DP801467)

SSD-82352708



Figure 18. North and East Clubhouse Elevations (Source: King + Campbell, 2025)



ENVIRONMENTAL IMPACT STATEMENT

BROADLANDS SOUTH WEST ROCKS

286-310 Gregory Street, South West Rocks (Lot 3 DP801467)

SSD-82352708



Figure 19. South and West Clubhouse Elevations (Source: King + Campbell, 2025)





Figure 20. Development Perspective Drawing (Source: King + Campbell, 2025)



3.3.3 Use and Activities

The Proposal will be used for residential purposes only. Access to the estate will be restricted to residents and visitors.

The Proposal will be managed by a Land Lease Community operator (the Operator) responsible for its administration, maintenance, and overall operation. This includes managing common areas, ensuring regulatory compliance, and providing resident services. The Operator will also oversee the maintenance of shared infrastructure and implement community guidelines to foster a well-maintained and cohesive living environment.

The Proposal would operate under the *Residential (Land Lease) Communities Act 2013* (LLC Act), providing an affordable housing complex where residents own the dwelling but not the underlying land.

Installation of the 101 dwellings would be subject to purchaser preference and are to be installed under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* (LG Manufactured Housing Reg). Typically, each home is two (2) to three (3) bedrooms in size with single or double car garages (depending upon purchaser preference).

3.3.3.1 Staff

The typical anticipated staffing requirements for the Proposal would include one (1) full time maintenance manager.

3.3.4 Water Management

The post-development sub-catchment arrangement reflects the proposed drainage infrastructure upgrades, which include upgraded and/or realigned swales, the inclusion of a network of pits and pipes, the inclusion of retaining walls, a 350m³ detention basin, and upgraded stormwater outlets. The stormwater treatment system will also feature two (2) Atlan Ecoceptor Class 3 GPTs and two (2) Atlan Basins (SQIDDEP verified) 4L/s systems, strategically located in the southwest corner and southern sections of the Site.

3.3.5 Waste Management

3.3.5.1 Construction Phase

Waste management procedures, including specific roles and responsibilities, have been identified for the excavation, earthworks and construction phases of the Proposal.

Exceptional waste diversion targets have been set for the excavation, earthworks and construction phases of the Proposal, including the handling of hazardous waste.

Further details of the construction and demolition waste management are outlined and secured in the Construction & Demolition Waste Management Plan at **Appendix 25**.

3.3.5.2 Operational Phase

Waste collection will be managed by a private contractor using bulk bins and wheelie bins, stored within designated communal bin areas. The proposed bin quantities and collection frequencies are as follows:

- General Waste: 10 x 660L bins, collected twice weekly
- Recycling: 10 x 660L bins, collected once weekly
- FOGO: 20 x 240L bins, collected once weekly



Residents will be responsible for transporting their waste to the communal bin areas (as identified in **Figure 13**) and correctly disposing of materials into the designated bins. The Operator will oversee bin capacity monitoring to ensure efficient waste management.

Community facilities will be equipped with appropriately branded source separation receptacles in accessible locations to encourage responsible waste disposal. The Operator will be responsible for monitoring and transferring waste to the central collection bins as needed. Details of the operational waste management are outlined and secured in the Operational Waste Management Plan at **Appendix 17**.

3.3.6 Environmentally Sustainable Development (ESD)

The Proposal does not meet the definition of BASIX development. The proposed built form does not constitute a BASIX building, as it does not include any dwellings. Furthermore, while a swimming pool is proposed, it is intended to service all 101 future dwellings, not a single dwelling, and therefore does not trigger BASIX requirements.

Notwithstanding, the SSDA is accompanied by a Section J Report (**Appendix 10**) that confirms that the Proposal complies with the relevant NCC requirements in terms of thermal performance specifically regarding the proposed clubhouse.

3.3.7 Construction Management

A detailed Construction Environmental Management Plan (CEMP) will be prepared by the appointed contractor prior to the commencement of construction. The CEMP will address the following matters:

- Material management
- Health and safety
- Equipment/materials staging and parking
- Dust control measures
- Noise and vibration monitoring strategy
- Methods for disposal of demolition waste

In terms of traffic management during construction, potential construction traffic management measures have been identified by the Draft Construction Traffic Management Plan (CTMP) (**Appendix 26**) that sits alongside the Transport Impact Assessment (**Appendix 8**).

All necessary access arrangements will be in place for construction vehicles as they enter and exit the Site. A detailed CTMP will establish Site access arrangements during the construction phase. The CTMP will comply with the relevant standards and guidelines that relate to construction traffic management.

3.3.8 Timing

3.3.8.1 Staging

The Proposal will be broken up into two (2) main stages. Stage 1 relates to general earthworks and civil works while Stage 2 relates to construction and fitout of the proposed buildings and associated structures as well as final landscaping. A detailed breakdown is provided below.

Stage 1:

Stage 1 is predicted to have a 12 month duration.

- Site Establishment
- Preparation of the main works site
- Excavation and earthworks associated with building foundations and/or slabs.
- Civil & Stormwater works
- Associate village infrastructure



Stage 2:

Stage 2 is predicted to have an 18 month duration after completion of Stage 1.

- Concrete Pours
- Superstructure
- Construction
- Fit out / Façade
- Landscaping external works
- Completion
- Dwelling installation

It should be noted that each individual dwelling unit will be subject to a separate planning pathway via Section 68 of the *Local Government Act 1993* and would need to comply with the specific design requirements set out under the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. The individual dwelling units would be applied for by future residents once the Proposal has received development consent and could only be implemented once the Proposal has been completed.

3.4 PROPOSAL NEED

The intention of the Proposal is to construct and operate a purpose-built Land Lease Community Estate comprising 101 dwelling sites, community facilities, and associated infrastructure to support the growing demand for age-appropriate, accessible housing for people aged over 50. The Proposal responds to a well-documented shift in Australia's demographic profile, with an ageing population seeking downsized housing options that offer security of tenure, lifestyle amenity, and connection to community.

The Proposal will assist in addressing a shortfall of affordable, low-maintenance homes that support ageing in place, while also delivering high-quality communal and recreational spaces that promote wellbeing and social inclusion. Importantly, the Proposal will help relieve pressure on traditional residential markets and aged care services by offering an alternative housing model that supports independent living.

This form of housing is increasingly recognised for its role in improving housing choice, supporting regional housing strategies, and contributing to the economic and social fabric of local communities.

3.5 CONSIDERATION OF ALTERNATIVES

The purpose of the Proposal is to provide a medium density residential offering, that responds to the intended residential character and nature of the R1 General Residential and R3 Medium Density Residential zone; providing a logical extension of the existing developments immediately south and west of the Site and further north on Gregory Street and beyond. The Proposal seeks to ensure:

- It is compatible with surrounding development and the local context;
- It would provide development of an otherwise vacant land holding;
- It would result in minimal impact on the environment; and
- It would allow for the implementation of suitable mitigation measures, where required.

Overall, the scale of the Proposal is considered suitable, and the built form proposed would completely enhance and renew an undeveloped and underutilised land portion into a modernised residential offering, which evolves as a logical extension to the established residential precinct. The Site design and layout of the built form proposed, seeks to maintain consistency with the zone objectives under KLEP2013 and enhance the underlying residential character intended for the Site, which is zoned for



such permissible land uses. Furthermore, this would be achieved by the resultant built form that would reinforce the nature of the land use and is sensitive to the surrounding environment.

Schedule 2, clause 7 of the EP&A Regulation requires an analysis of any feasible alternatives to the Proposal, including the consequences of not carrying out the Proposal. The Proponent identified project alternatives that were considered with respect to the identified need for purpose-built Land Lease Community Estate for people over 50 that is of an appropriate scale given the proximity to South West Rocks and the surrounding services, whilst ensuring a high amenity and well landscaped Site be retained in any future development. Three (3) primary options were considered to address the strategic need, project objectives, and Site constraints and opportunities. Each of the options considered and the process and analysis that led to the preferred concept are summarised above.

(a) 'Do Nothing' Scenario

This option was dismissed as the objectives of the Proposal would not be met. If the Proposal was not to proceed, the Site would not achieve its intended development outcome. There is an identified need for increased housing supply (including affordable and accessible housing) to provide for the anticipated population growth. A 'Do Nothing' scenario would not address this critical need.

Specifically, the consequences of not carrying out the Proposal would include:

- A missed opportunity with the NSW Government's top priority to deliver housing in the right locations. A missed opportunity to deliver 101 dwellings that would be affordable and accessible for people over 50, which is essential to the changing demographic of regional Australia. Further, this option is also inconsistent with the broader strategic planning policies outlined within this EIS.
- A failure to align with the existing planning controls for the Site. The existing use does not adequately utilise the available development capacity on the Site as established through the planning proposal process and subsequent amendments to the Site-specific provisions.

This option does not adhere to the objectives of Section 1.3(c) of the EP&A Act in relation to orderly planning and economic use of land. Based on the above and the justification provided within **Section 3.4**, the 'do nothing' scenario is dismissed by the Proponent.

(b) Development on an Alternative Site

Consideration was given to carrying out development on alternate sites, which were dismissed as the Site resulted in the most beneficial outcomes for the Proposal.

Beneficial characteristics of the Site for the Proposal include:

- Its location, being subject to the provisions of both the R1 General Residential and R3 Medium Density Residential zones, which permit multi dwelling housing with consent;
- The ability to mitigate all potential environmental impacts within the Site through appropriate siting, built form, and landscape design;
- Proximity to existing infrastructure networks, including stormwater, sewer, potable water, electricity, and telecommunications, enabling efficient servicing of the Proposal;
- Access to local centres, open space, and public transport, supporting independent living and community connectivity for future residents aged over 50;
- Suitable separation from incompatible land uses, ensuring a peaceful and appropriate setting for residential occupation;
- The size and configuration of the Site, which allow for a comprehensive master planned layout including community facilities, landscaping, and road access; and
- The opportunity to deliver a visually attractive and well-integrated built form outcome that complements the surrounding residential context.



(c) Different Site Configuration

Alternate layouts for the Proposal were explored on the Site in the early stages of the design process due to the varying topography across the Site. Three-dimensional mass modelling was utilised to test ideas and estimate approximate volumes of cut and fill as well as achieving manageable grades for the proposed internal roads. Two alternative options were considered and are detailed below. The key design outcomes for the final layout are also discussed.

Alternative Option 1

A layout for the Proposal utilising an East-West grid was developed to test Site yield, solar access and orientation as well as bulk earthworks (Cut and Fill). The type, extent and location of retaining structures was considered in relation to the establishment of level pads for dwelling sites. This layout highlighted the need for substantial retaining structures between dwelling sites and relatively steep roads that would have significant impacts on access to each dwelling site. Solar access to each dwelling site also presented significant challenges with this layout. The community building did occupy a portion of the Site that commanded excellent district views. However, overlooking and overshadowing of the nearby dwelling sites would have been challenging to address.

Alternative Option 2

A layout for the Proposal that aligned the main access roads to be parallel with the predominate contour lines was developed to test Site yield, solar access and orientation as well as bulk earthworks (Cut and Fill). The type, extent and location of retaining structures was considered in relation to the establishment of level pads for dwelling sites. This layout significantly reduced the yield on the Site below the required number for commercial feasibility. Although the primary access roads achieved a more desirable grade and connection to the emergency Site egress to the south, the connecting access roads became excessively steep to accommodate the grade change and created significant overshadowing across the lower dwelling sites. The main entry from Gregory Street was also compromised and inefficient. A large portion of the Site would need to be left as open space that would not be at grades accessible to the community unless large retaining structures were built to bench sections for improved access.

Final Design Layout

The configuration of the Proposal was chosen based on the Site's topography, road access, and the requirements of the Operator, as well as the need to respond to the character of the surrounding areas. As identified above, the two alternative Site configurations did not successfully respond to the abovementioned Site opportunities and constraints or result in a commercially feasible Proposal. Therefore, these two alternative options were dismissed.

Notwithstanding, the Proposal is justified on the basis that it is compatible with the locality in which it is proposed, resulting in positive social and economic benefits, whilst appropriately managing and mitigating any potential environmental impacts requiring consideration. The Proposal also leverages from the availability of infrastructure.

From a locational perspective, the Site was chosen as it would be able to accommodate a suitable platform and scale of development proposed. Accordingly, the Site's locality is considered satisfactory from a strategic standpoint, for which the Proposal responds to the residential character intended for the Site and immediate locality; and the limited environmental constraints which make the Site suitable for development for the purposes of multi dwelling housing.

Considering the above information, the Proposal for a Land Leased Community Estate at the Site would allow for the Site and Operator objectives to be suitably met.



PART 4 STATUTORY CONTEXT

4.1 CONTROLS AND POLICIES OVERVIEW

This part of the EIS aims to highlight and address the relevant statutory requirements that are related to the Proposal, as noted below.

Commonwealth Planning Context

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Water Management Act 2000*
- *Native Title Act 1994*
- *Biodiversity Conservation Act 2016*
- *Rural Fires Act 1997*
- *Roads Act 1993*
- *Residential (Land Lease) Communities Act 2013*
- *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*
- *Local Government Act 1993*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*

Local Planning Context

- *Kempsey Local Environmental Plan 2013*
- *South West Rocks Section 94 Contributions Plan*
- *Kempsey Development Control Plan 2013*

The Proposal has been carefully assessed against the requirements and objectives of all the above planning statutory and policy documents, as detailed within this EIS.

4.1.1 Statutory Requirements

The following categories are used to identify the statutory requirements of the project.

TABLE 8: STATUTORY REQUIREMENTS OVERVIEW	
Power to grant approval	The Proposal is declared SSD under Section 3.36(3) of the EP&A Act and pursuant to Clause 4(1)(g) of SSD Order No.3 2025, being development specified in EOI application 233998 dated 24 January 2025 including development for the purposes of multi dwelling houses at 286-310 Gregory Street, South West Rocks, Lot 3/DP801467.

TABLE 8: STATUTORY REQUIREMENTS OVERVIEW

	The power to grant approval lies with the Minister for Planning (NSW DPHI) as the consent authority for SSD, pursuant to Section 4.5 of the EP&A Act.
Permissibility	The Proposal comprises 101 detached dwellings on one (1) lot of land and therefore meets the definition of multi dwelling housing. The detached dwellings intended to be installed within each of the dwelling sites would be in the form of relocatable/manufactured homes. As contemplated by the NSW Land and Environment Court in <i>TMT Devco Pty Ltd v Cessnock City Council [2008] NSWLEC 211</i>, a Manufactured Housing Estate (MHE) may be characterised as a form of multi dwelling housing. Thereby, confirming the permissibility of the Proposal at the Site. The Site is zoned R1 General Residential and the R3 Medium Density Residential, under the KLEP2013. The Proposal falls within the definition of 'multi dwelling housing', being <i>3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building</i>, which is permissible with consent in the R1 General Residential and R3 Medium Density Residential zones, pursuant to the KLEP2013. Further, the KLEP2013 states that for both R1 General Residential and R3 Medium Density Residential zones, uses that are permitted with consent include <i>"any other development not specified in item 2 (permitted without consent) and 4 (prohibited)"</i>. As the Proposal is for a manufactured home estate within a land lease community, the proposed use is permissible at the Site on the basis that a 'manufactured home estate' is an innominate description (i.e. falling within the <i>"any other development not specified in item 2 (permitted without consent) and 4 (prohibited)"</i> criteria) for the purposes of the KLEP2013 and therefore permitted with consent under R1 and R3 zoning.
Other approvals	Consistent approvals: N/A Other approvals: Post approval, there will be a Section 138 Roads Act Approval for the works to Gregory Street. Each dwelling will undergo the Section 68 approval process under the <i>Local Government Act 1993</i> (LG Act) and must be installed in accordance with the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</i> (LG Regs). The proposed housing estate will operate under the <i>Residential (Land Lease) Communities Act 2013</i> (LLC Act). A Licence to Operate a MHE will be issued by Council under the LG Act and allows the Proposal to operate under the framework of the LLC Act, which regulates the management and operation of land lease communities.
Pre-condition to exercising power to grant approval	Pre-conditions to exercising the power to grant approval are outlined in TABLE 9 below.



TABLE 8: STATUTORY REQUIREMENTS OVERVIEW

Mandatory matters for consideration	Mandatory matters of consideration by the consent authority are outlined in Appendix B of this EIS.
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4.1.2 Pre-conditions

TABLE 9 outlines the pre-conditions to exercising the power to grant approval, which are relevant to the Proposal and the section where these matters are addressed within this EIS.

TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
<i>NSW Biodiversity Conservation Act 2016</i>	Part 7 - Biodiversity assessment and approvals under Planning Act Clause 7.9 Biodiversity assessment for State significant development or infrastructure Pursuant to Clause 7.9 of the Biodiversity Conservation Act, any SSD applications for development consent must be accompanied by a BDAR.	The maximum amount of native clearing is below 0.2ha. A BDAR Waiver has been prepared and has been approved by the Department of Climate Change, Energy, the Environment and Water and the Department of Planning, Housing and Infrastructure.	Refer to Section 6.1.16 of this EIS. Refer to Appendix 11, Appendix 28 and Appendix 29.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Chapter 2 - Coastal Management Clause 2.10 - Development on land within the coastal environment area <i>Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—</i> <i>a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or</i> <i>b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> <i>c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</i>	The Site is mapped within the Coastal Environment Area. The Proposal has carefully considered the Site's proximity to Spencers Creek. The Integrated Water Management Plan (Appendix 13) includes details of the proposed stormwater measures to manage stormwater quantity and quality. The design considers the Site's natural topography, with measures to manage runoff direction and volume effectively, reducing risks of soil erosion and sedimentation in coastal areas. The Proposal would not inhibit public access to the foreshore, beach, headland or rock platform for members of the public.	Refer to Section 6.1.11 of this EIS.
	Chapter 4 - Remediation of Land Clause 4.6 - Contamination and remediation to be considered in determining development application	The Preliminary Site Investigation (Appendix 15) for the Site have identified that the land is suitable for the Proposal and further assessment	Refer to Section 6.1.13 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
	<i>A consent authority must not grant consent unless:</i> <i>a) it has considered whether the land is contaminated, and</i> <i>b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i> <i>c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i>	and remediation is not required.	
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Chapter 2 - Infrastructure Clause 2.47 - Development likely to affect an electricity transmission or distribution network <i>(2) Before determining an application to which this section applies, the consent authority must –</i> <i>a) give written notice of the application to the electricity supply authority for the area in which the development is to be carried out, and</i> <i>b) take into consideration any response to the notice that is received within 21 days after the notice is given, and</i> <i>c) be satisfied that any safety risks associated with the development or modification to which the application relates have been identified, and</i> <i>d) take those risks into consideration.</i>	An overhead electricity transmission line runs along the Gregory Street frontage and traverses the Site centrally from west to east. The Proposal involves the relocation and undergrounding of this electricity power line and amendment of the associated easement. The existing electricity lines located along the Gregory Street frontage are not proposed to be altered.	Refer to Section 3.3 and Section 6.1.26 of this EIS.
	Chapter 2 - Infrastructure Clause 2.119 - Development with frontage to classified roads	Primary vehicular access to the Site is proposed from Gregory Street, adjacent to the northern Site boundary. Access via the classified road is	Refer to Section 6.1.9 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
	(2) <i>The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that –</i> a) <i>where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i> b) <i>the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of–</i> (i) <i>the design of the vehicular access to the land, or</i> (ii) <i>the emission of smoke or dust from the development, or</i> (iii) <i>the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</i> c) <i>the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i>	considered most appropriate, as providing primary vehicle access via Racemosa Circuit is not favourable from a traffic perspective. The location of the proposed primary vehicle access will provide approximately 100m separation from the intersection of Lindsay Noonan Drive, which the TIA (Appendix 8) has identified is supportable.	
	Chapter 2 - Infrastructure Clause 2.122 - Traffic-generating development (4) <i>Before determining a development application for development to which this section applies, the consent authority must –</i> a) <i>give written notice of the application to TfNSW within 7 days after the application is made, and</i> b) <i>take into consideration–</i>	Development for the purpose of residential accommodation with access to a classified road is considered traffic generating development where 75 or more dwellings are proposed. Accordingly, the Proposal constitutes traffic generating development and this DA is referable to Transport for NSW (TfNSW).	Refer to Section 6.1.9 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
	(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and (ii) the accessibility of the site concerned, including— A. the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and B. the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and (iii) any potential traffic safety, road congestion or parking implications of the development.		
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 4 - Koala Habitat Protection 2021 Clause 4.8 - Development assessment process – approved koala plan of management for land <i>The Council's determination of the development application must be consistent with the approved koala plan of management that applies to the land.</i>	The Site is mapped as subject to a Koala Management Plan. The Proposal is made in accordance with the <i>Comprehensive Koala Plan of Management for Eastern Portion of Kempsey Shire LGA (CKPoM)</i>. Vegetation subject to Chapter 4 includes any Preferred Koala Food Tree with a diameter at breast height (DBH) of at least 250mm. The two affected trees, <i>Eucalyptus microcorys</i> (Tallowwood), fall within this category. As shown in Figure 38, the two affected trees are located outside the mapped Potential Koala Habitat, and therefore their removal does not trigger offset	Refer to Section 6.1.14 and Section 6.1.16 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
		requirements under the CKPoM.	
	Chapter 6 - Water Catchments Clause 6.6 - Water quality and quantity <i>Pursuant to Clause 6.6 of the SEPP, development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—</i> <i>a. the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and</i> <i>b. the impact on water flow in a natural waterbody will be minimised.</i>	An Integrated Water Management Plan (Appendix 13) has been prepared that addresses this matter.	Refer to Section 6.1.11 and Section 6.1.19 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
State Environmental Planning Policy (Housing) 2022	Chapter 3 – Diverse housing Part 8 – Manufactured home estates Clause 118 - Aims and strategies (1) The aims of this Part are— (a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and (b) to provide immediate development opportunities for manufactured home estates on the commencement of this Part, and (c) to encourage the provision of affordable housing in well designed estates, and (d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and (e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and (f) to protect the environment surrounding manufactured home estates, and (g) to provide measures which will facilitate security of tenure for residents of manufactured home estates. (2) The strategies by which those aims are to be achieved are— (a) by allowing, with development consent, manufactured home estates on certain land on which caravan parks are permitted if the land meets the suitable locational criteria stipulated in this Part (which it would not do if, for example, it contains important resources, is subject to natural or man-made risks or has sensitive environmental or ecological features), and (b) by applying this Part to areas where there is likely to be a demand and suitable opportunities for the development of manufactured home estates, and	The Site is zoned as R1 General Residential and R3 Medium Density Residential under the KLEP2013. Caravan parks are prohibited in these zones under the KLEP2013. Therefore, manufactured home estates are not permissible on the Site under the Housing SEPP. However, the Proposal is permissible under the KLEP2013 as multi dwelling housing. For further assessment, refer to TABLE 8 of this EIS.	Refer to TABLE 8 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
	(c) by allowing manufactured home estates to be subdivided with development consent either by way of leases for terms of up to 20 years or under the <i>Community Land Development Act 1989</i>, and (d) by enabling the Minister for Planning to exclude from this Part any land that is subject to a local environmental plan prepared in accordance with the principles of a direction issued in conjunction with this Part under section 117 of the Act.		
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	Chapter 2 - Standards for residential development – BASIX Clause 2.1 - Standards for BASIX development and BASIX optional development (5) Development consent must not be granted to development to which the standards specified in Schedules 1 or 2 apply unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.	The Proposal does not meet the definition of BASIX development. The proposed built form does not constitute a BASIX building, as it does not include any dwellings. Furthermore, while a swimming pool is proposed, it is intended to service all 101 future dwellings, not a single dwelling, and therefore does not trigger BASIX requirements. Notwithstanding, the SSDA is accompanied by a Section J Report (Appendix 10), which confirms that the Proposal complies with the relevant NCC requirements in terms of thermal performance specifically regarding the proposed clubhouse.	Refer to Section 6.1.15 of this EIS.
<i>Kempsey Local Environmental Plan 2013</i>	Maximum building height: <i>Pursuant to Clause 4.3 of the KLEP2013, the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</i>	The Site is mapped as having a maximum building height of 8.5m. The proposed community building would have a height of 8.49m and the proposed maintenance shed would have a height of 4.8m. Compliance with the KLEP2013 height control	Refer to Section 6.1.6 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW

Statutory Reference	Pre-condition	Relevance	Addressed in EIS
		is demonstrated in Figure 22 below.	
	Acid Sulfate Soils: <i>Pursuant to Clause 7.1 of the KLEP2013, development consent is required for the carrying out of works on class 5 land where involving works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</i>	A Geotechnical Assessment accompanies this SSDA (Appendix 14). The Site is mapped as comprising Class 5 acid sulfate soils and is within approximately 300m of Class 2 acid sulfate soils. The Proposal does not involve works below 5m AHD or where the water table is likely to be lowered.	Refer to Section 6.1.12 and Section 6.1.13 of this EIS.
	Earthworks: <i>Pursuant to Clause 7.2 of the KLEP2013, before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</i> <i>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,</i> <i>(b) the effect of the development on the likely future use or redevelopment of the land,</i> <i>(c) the quality of the fill or the soil to be excavated, or both,</i> <i>(d) the effect of the development on the existing and likely amenity of adjoining properties,</i> <i>(e) the source of any fill material and the destination of any excavated material,</i> <i>(f) the likelihood of disturbing relics,</i> <i>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or</i>	Erosion and Sediment Control Plans will be prepared prior to construction certificate (CC) and implemented accordingly to manage the disruption of drainage patterns and soil stability in and around the Site. The Proposal would not reduce the ability for future redevelopment of the Site or result in an adverse impact on surrounding sites. All proposed fill would be high quality and tested accordingly.	Refer to Section 6.1.12 and Section 6.1.13 of this EIS.



TABLE 9: PRE-CONDITIONS OVERVIEW			
Statutory Reference	Pre-condition	Relevance	Addressed in EIS
	environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.		
	Koala Habitat: Pursuant to Clause 7.4 of the KLEP2013, development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development is in accordance with the Comprehensive Koala Plan of Management for Eastern Portion of Kempsey Shire LGA Volume I—The CKPoM (Working Provisions), published in April 2011.	The Site is mapped as subject to a Koala Management Plan. The Proposal is made in accordance with the Kempsey CKPoM. The tree survey has revealed the trees proposed to be removed are not mapped within the koala habitat area and therefore a habitat assessment is not required. Refer to Figure 38 .	Refer to Section 6.1.14 and Section 6.1.16 of this EIS.
	Protection of scenic character and landscape values: Pursuant to Clause 7.6 of the KLEP2013, development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.	The southeastern corner of the Site is mapped as Scenic Protection Land. The Proposal seeks to include landscaping within this portion of the Site to ensure the scenic amenity of this area is maintained.	Refer to Section 6.1.7 of this EIS.

4.1.3 Local Government Regulation 2021 Assessment

TABLE 10 demonstrates that the Proposal has been designed to comply with the standards set out in the LG Regs.

TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT	
Standard	Relevance
Part 2 – Manufactured Home Estates and Manufactured Homes Division 2 – Approvals and Exemptions Subdivision 1 – Operation of Manufactured Home Estates	
6 Factors for consideration before approval is granted	The Proposal is well designed and shall be constructed, maintained and operated in accordance with Division 3.



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT

Standard	Relevance
(1) The council must not grant an approval unless satisfied the manufactured home estate will be designed, constructed, maintained and operated in accordance with Division 3. (2) Before approving the operation of a manufactured home estate on flood liable land, the council must consider the principles in the Floodplain Development Manual.	The Site is not located within Flood Prone Land.
7 Matters to be specified in approval An approval must specify, by reference to a plan, the number, size and location of the dwelling sites allowed by the approval.	The Architectural Drawings (Appendix 4) specify the number, size and location of each dwelling site within the Proposal.
8 Conditions of approval An approval is subject to the condition that the manufactured home estate is designed, constructed, maintained and operated in accordance with Division 3. Note— The council may also impose conditions on the grant of an approval under the Act, section 94.	The Proposal is well designed and shall be constructed, maintained and operated in accordance with Division 3.
Part 2 – Manufactured Home Estates and Manufactured Homes Division 3 – Manufactured Home Estates Subdivision 1 – Land and Dwelling Site Requirements	
12 Minimum size of estate A manufactured home estate must not have an area of less than— (a) 1 hectare, or (b) if a lesser area is permitted on the land by an environmental planning instrument, the lesser area.	The Site has an area of 4.16ha and therefore exceeds the minimum area set out in Clause 12.
13 Community amenities (1) A minimum of 10% of the total land area of a manufactured home estate must be reserved for recreation or other communal activities. (2) The council may allow a lower percentage, not less than 6% of the total land area of the manufactured home estate, to be reserved for recreation or other communal activities. (3) Before allowing a lower percentage, the council must consider— (a) the type and range of amenities to be provided, and (b) other matters the council considers relevant.	The Proposal provides 3,880m² (10% of the Site) of outdoor communal activity space in addition to the indoor communal clubhouse and therefore exceeds the minimum 10% requirement. The communal activity spaces comprise: ▪ Clubhouse ▪ Pickleball court ▪ Swimming pool ▪ Outdoor grassed seating area
14 Size of dwelling sites A dwelling site must have an area of at least 130 square metres.	All dwelling sites exceed the minimum floor area of 130m². The smallest dwelling site within the Proposal is 212m².



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT	
Standard	Relevance
15 Site identification <i>(1) A dwelling site must be numbered or identified with its site boundaries clearly outlined.</i> <i>(2) The site identification must be easily recognised.</i>	All dwelling sites are numbered with clear site boundaries and are easily recognised.
Part 2 – Manufactured Home Estates and Manufactured Homes Division 3 – Manufactured Home Estates Subdivision 2 – Setbacks	
16 Dwelling sites to have road frontage <i>A dwelling site must have vehicular access to an access road.</i>	All dwelling sites have direct access to an access road within the Site.
17 Setbacks of community buildings <i>(1) A community building must not be located closer than 10 metres to the boundary of a manufactured home estate or dwelling site.</i> <i>(2) The council may allow a lesser distance of at least 2 metres if satisfied the community building has been or will be properly screened, fenced, enclosed or otherwise treated.</i>	The proposed clubhouse would exceed the 10m minimum separation distance from a proposed dwelling site and from the boundary of the proposed manufactured home estate. The proposed maintenance shed would have a separation distance of 2m from the nearest proposed dwelling site and 4m and 7.5m to the southern and eastern boundaries of the proposed manufactured home estate. Details of the proposed maintenance shed (such as window location) and external screening can be secured as a condition of consent.
18 Setbacks of dwelling sites from road frontages <i>(1) A dwelling site must not be located closer than—</i> <i>(a) 10 metres to a public road, or</i> <i>(b) 3 metres to another boundary of the manufactured home estate.</i> <i>(2) The council may allow a lesser distance if satisfied the dwelling site has been or will be properly screened, fenced, enclosed or otherwise treated.</i>	The proposed dwelling sites along the western boundary of the Site have a setback of 12m from Gregory Street when measured from the start of the vehicular section of the road, which exceed the 10m minimum setback. All proposed dwelling sites would exceed the minimum 3m setback from other boundaries of the Site.
19 Use of buffer zones <i>Nothing in this Part prevents land within a required setback from being used for—</i> <i>(a) community amenities, access roads, car parking spaces, footpaths or landscaping, or</i> <i>(b) a similar purpose allowed by the council.</i>	The proposed pickleball court and associated picnic shelter is approximately 4m from the southern boundary of the Site.
Part 2 – Manufactured Home Estates and Manufactured Homes Division 3 – Manufactured Home Estates Subdivision 3 – Roads	
20 Entrance and exit roads <i>(1) A road forming an entrance to or exit from a manufactured home estate must be at least 8 metres wide.</i> <i>(2) For a divided road, the width of the sealed portion of the road on either side of the median strip must be at least 5 metres.</i>	The main vehicular entrance to/from the Site from Gregory Street is 14.5m in width. The divided section of the road has a width of 5m. An emergency vehicular entrance is provided on the southern boundary of the Site entering onto Racemosa Circuit, which has a width of 4m.



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT

Standard	Relevance
<i>(3) The council may specify, in an approval, the way in which an entrance or exit road must meet the sealed portion of other access roads.</i>	However, this would be restricted to emergency vehicles only.
21 Width of roads <i>(1) The width of the road reserve must be at least—</i> <i>(a) 8.5 metres for a major access road, and</i> <i>(b) 6 metres for a minor access road.</i> <i>(2) The width of the sealed portion of an access road must be at least—</i> <i>(a) 6 metres for a major access road, and</i> <i>(b) 4 metres for a minor access road.</i> <i>(3) If a minor access road exceeds 80 metres in length, a passing bay must be provided within the road reserve.</i> <i>(4) Passing bays must be provided at intervals of no more than 100 metres.</i> <i>(5) The width of the sealed portion of an access road at a passing or parking bay must be at least—</i> <i>(a) 8.5 metres for a major access road, and</i> <i>(b) 6 metres for a minor access road.</i>	The Proposal meets the minimum requirements for the widths of road reserves and access roads.
22 Speed restrictions as part of road design <i>Access roads must be designed to limit the speed at which vehicles may travel on the roads to—</i> <i>(a) 30 kilometres per hour for major access roads, and</i> <i>(b) 15 kilometres per hour for minor access roads.</i>	Details to ensure that speed restrictions are integrated into the road design can be secured at detailed design stage via a condition of consent.
23 Visitor parking <i>(1) A manufactured home estate must contain at least the following number of visitor parking spaces—</i> <i>(a) for a manufactured home estate containing no more than 35 sites—8 spaces,</i> <i>(b) for a manufactured home estate containing more than 35 sites, but no more than 70 sites—12 spaces,</i> <i>(c) for a manufactured home estate containing more than 70 sites, but no more than 105 sites—16 spaces,</i> <i>(d) for a manufactured home estate containing more than 105 sites—20 spaces plus 1 additional space for every 7 sites above 140 sites.</i> <i>(2) Each parking space must have minimum dimensions of—</i> <i>(a) for angle parking—5.4 metres by 2.5 metres, or</i> <i>(b) otherwise—6.1 metres by 2.5 metres.</i> <i>(3) Visitor parking spaces must be clearly identified.</i>	The proposed manufactured home estate comprises 101 dwelling sites and includes 26 visitor car parking spaces and an additional two (2) disabled car parking spaces, which exceeds the minimum requirement of 16 spaces.



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT

Standard	Relevance
24 Visitor parking for people with disabilities (1) A manufactured home estate must contain— (a) at least 1 visitor parking space for people with a disability (a disabled parking space), or (b) if the manufactured home estate contains 100 sites or more—at least 1 additional disabled parking space for— (i) the first 100 sites, and (ii) every further 100 sites, and (iii) a remaining part, if any, of 100 sites. Example— A manufactured home estate containing 235 sites must contain at least 3 disabled parking spaces. (2) A disabled parking space must be— (a) provided in accordance with AS/NZS 2890.1:2004, Parking facilities, Part 1: Off street car parking, and (b) clearly identified as a disabled parking space. (3) A disabled parking space may be counted as a visitor parking space.	The proposed manufactured home estate comprises 101 dwelling sites and includes two (2) disabled car parking spaces, which meets the minimum requirement of two (2) spaces. Details of the proposed disabled car parking spaces can be secured at detailed design stage via a condition of consent.
25 Road surfaces All access roads, including all passing and parking bays, must— (a) have an all-weather sealed or other surface finish specified in the approval, and (b) be adapted to the land to enable adequate drainage and remove excessive grades.	All proposed access roads shall have an all-weather sealed or other surface finish and be adapted to the land to enable adequate drainage and remove excessive grades. The largest grade within the Site is 14%. Due to the existing topography, substantial cut and fill is proposed to reduce grades throughout the Site as much as possible.
26 Lighting All access roads must be adequately lit between sunset and sunrise.	Details of the proposed street lighting can be secured at detailed design stage via a condition of consent.
Part 2 – Manufactured Home Estates and Manufactured Homes Division 3 – Manufactured Home Estates Subdivision 4 – Utility Services	
27 Water supply (1) A manufactured home estate must be— (a) connected to a mains water supply, or (b) provided with an alternative water supply service as specified in the approval. (2) A dwelling site must be— (a) connected to the water supply service for the manufactured home estate, and (b) provided with— (i) a separate water meter, and (ii) a separate water service isolating valve. (3) The water supply service must comply with—	The proposed manufactured home estate and all dwelling sites shall be connected to a mains water supply. All dwelling sites shall be provided with a separate water meter and a separate water service isolating valve. The water supply service shall comply with all relevant requirements under any Act or Regulation.



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT

Standard	Relevance
(a) the Plumbing and Drainage Act 2011 and the regulations made under that Act, and (b) the requirements of a relevant statutory body. (4) The water supplied for human consumption or domestic purposes must comply with the Australian Drinking Water Guidelines 6 published in October 2011 by the National Health and Medical Research Council.	
28 Sewerage (1) A manufactured home estate must be— (a) connected to a main sewer, or (b) provided with an alternative sewage disposal system as specified in the approval. (2) A dwelling site must be connected to the sewage disposal system for the manufactured home estate. (3) The sewage disposal system must comply with— (a) the Plumbing and Drainage Act 2011 and the regulations made under that Act, and (b) the requirements of a relevant statutory body.	The proposed manufactured home estate and all dwelling sites shall be connected to a mains sewer. The sewage disposal system shall comply with all relevant requirements under any Act or Regulation.
29 Drainage (1) A manufactured home estate must be provided with a stormwater drainage system as specified in the approval. (2) A dwelling site must be— (a) connected with the stormwater drainage system for the manufactured home estate, or (b) provided with an on-site stormwater drainage system. (3) A stormwater drainage system must comply with— (a) the Plumbing Code of Australia, and (b) the requirements of a relevant statutory body.	The proposed manufactured home estate and all dwelling sites shall be connected to a stormwater drainage system. The stormwater drainage system shall comply with all relevant requirements under any Act or Regulation.
30 Electricity supply (1) A dwelling site must be supplied with electricity from a reticulated electricity service by an electrical circuit connected to a separate electricity meter. (2) The electrical circuit must be installed in accordance with the Australian/New Zealand Wiring Rules. (3) The maximum capacity of the electrical circuit supplying a dwelling site is not required to be more than 32 amperes if the site is provided with gas, whether by a reticulated gas service or on-site gas containers. (4) If a dwelling site is provided with electricity otherwise than by a direct	The Proposal shall comply with Clause 30 in its entirety.



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT

Standard	Relevance
<i>connection to the local electricity supply authority's electricity main, the occupant of the dwelling site may only be charged reasonable charges for the supply of the electricity.</i>	
31 Telephone lines <i>Telephone services, if available, must be provided by a telephone connection that is available to each dwelling site within the manufactured home estate.</i>	Each dwelling site will be connected to the available telephone services.
32 Common trenches <i>A common trench may be used for the installation of services in accordance with guidelines provided in AMCORD.</i>	Noted.
Part 2 – Manufactured Home Estates and Manufactured Homes Division 3 – Manufactured Home Estates Subdivision 5 – General	
33 Garbage removal <i>Arrangements specified in an approval must be implemented and maintained—</i> <i>(a) for the removal of garbage, and</i> <i>(b) to keep garbage receptacles in a clean and sanitary condition.</i>	The Proposal shall be maintained and operated in accordance with the accompanying OWMP.
34 Fire hydrants <i>(1) No part of a dwelling site or community building within a manufactured home estate may be located more than 90 metres from a fire hydrant.</i> <i>(2) A fire hydrant located within a manufactured home estate must be—</i> <i>(a) a double-headed pillar-type fire hydrant, and</i> <i>(b) maintained to the standard specified in the approval.</i>	Details of the proposed fire hydrants (including location and number) can be secured at detailed design stage via a condition of consent.
35 Buildings <i>(1) A building must not be erected on a manufactured home estate unless the approval allows the erection of the building.</i> <i>(2) An approval may allow only the following kinds of buildings to be erected on the manufactured home estate—</i> <i>(a) community buildings,</i> <i>(b) brick or masonry walls to erect—</i> <i>(i) separating walls between adjoining manufactured homes, or</i> <i>(ii) external facades to manufactured homes.</i> <i>(3) The approval may allow the erection of a brick or masonry wall to erect an external facade to a manufactured home only if—</i> <i>(a) the dwelling site on which the manufactured home is located is a neighbourhood lot, and</i>	The Proposal includes one community building: Two storey clubhouse The Proposal includes one other building, a single storey maintenance shed, which is only accessible to the maintenance manager and not for the residents.



TABLE 10: LOCAL GOVERNMENT REGULATION 2021 ASSESSMENT

Standard	Relevance
<i>(b) the owner of the manufactured home is the owner of the neighbourhood lot.</i> <i>Note—</i> <i>The erection of a building, including a community building or brick or masonry wall, may require development consent under the Environmental Planning and Assessment Act 1979.</i> <i>(4) In this section—</i> <i>neighbourhood lot has the same meaning as in the Community Land Development Act 1989.</i>	
36 Use of manufactured home estates <i>(1) A manufactured home estate must not be used—</i> <i>(a) for a commercial purpose other than a manufactured home estate or an associated purpose, or</i> <i>(b) for the manufacture, construction or reconstruction of moveable dwellings.</i> <i>(2) A manufactured home may be used for exhibition purposes.</i> <i>(3) A manufactured home installed in a manufactured home estate may be renovated, maintained and repaired.</i> <i>Example—</i> <i>Renovation, maintenance and repairs may include painting and the replacement of wall cladding or roof sheeting.</i>	The Proposal shall only be used as a manufactured home estate within a land lease community and for no other purpose.
37 Community map <i>The holder of an approval must provide the council with a copy of the community map for the manufactured home estate—</i> <i>(a) as soon as practicable after an amendment is made to the map, and</i> <i>(b) at other times reasonably required by the council.</i>	Details of a community map can be secured at detailed design stage via a condition of consent.
38 Access to approval and community map <i>The holder of an approval must ensure that copies of the following documents are available for inspection, free of charge, by an occupant of the manufactured home estate—</i> <i>(a) the approval for the manufactured home estate,</i> <i>(b) the current community map,</i> <i>(c) this Regulation.</i>	Details of a community map can be secured at detailed design stage via a condition of consent.



PART 5 ENGAGEMENT

An application to receive Industry-specific SEARs was submitted to NSW DPHI, with the SEARs (reference: SSD-82352708) subsequently issued on 16 April 2025.

A copy of the issued SEARs is included in **Appendix 1**.

As required by Item 4 of the SEARs, project specific consultation was required with the following stakeholders:

- the relevant Department assessment team;
- the relevant local Councils;
- any relevant agencies;
- the community; and
- if the Proposal would have required an approval or authorisation under another Act but for the application of s4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s4.42 of the EP&A Act, the agency relevant to that approval or authorisation.

A comprehensive level of community and stakeholder engagement has been undertaken for the Proposal. This has included numerous meetings and notification letters to both agencies and all potentially impacted stakeholders.

A comprehensive Engagement Outcomes and Social Impact Assessment (EOSIA) (**Appendix 22**) has been prepared by Willowtree Communications, in support of this SSDA, offering a summary and analysis of all community and stakeholder consultations, distilling into themes, and those items identified in the consultation process, as significant.

This information is articulated within **Section 6.1.4** of this EIS, demonstrating that genuine consultation has already taken place with stakeholders, seeking feedback on the Proposal.



PART 6 ASSESSMENT OF IMPACTS

This section of the EIS:

- Provides an assessment of the potential environmental impacts of the Proposal in response to the matters for consideration outlined in the SEARs.
- Summarises the key findings of the detailed technical studies in the appendices, recommended mitigation, minimisation, and management measures, where required.
- Provides detailed reasons to justify any predicted exceedances of relevant standards or performance measures.

This assessment also considers and incorporates a cumulative impact guided by the DPHI's *Cumulative Impact Assessment Guidelines for State Significant Projects*, noting the potential for concurrent construction activities in the immediate surrounding area as outlined in **Section 6.2**.

This section should be read in conjunction with the following detailed information appended to the EIS:

- SEARs Table identifies individual matters listed within the SEARs and the location where each requirement is addressed (**Appendix A**).
- Statutory Compliance Table identifies where the relevant statutory requirements have been addressed (**Appendix B**).
- EOSIA identifying where the issues raised by the community during engagement have been addressed (**Appendix 22**).
- Proposed Mitigation Measures for the Proposal which are additional to the measures built into the physical layout and design of the Proposal (**Appendix D**).

The detailed technical reports and drawings prepared by specialists and appended to the EIS are individually referenced within the following sections.

6.1 SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The SEARs (reference: SSD-82352708), issued by the NSW DPHI on 16 April 2025, identify the following Key Issues:

1. Statutory Context
2. Estimated Development Cost and Employment
3. Contributions and Public Benefit
4. Engagement
5. Design Quality
6. Built Form and Urban Design
7. Environmental Amenity
8. Visual Impact
9. Transport
10. Noise and Vibration
11. Water Management
12. Ground and Water Conditions
13. Contamination and Remediation
14. Trees and Landscaping
15. Ecologically Sustainable Development (ESD)
16. Biodiversity
17. Waste Management



- 18. Social Impact
- 19. Flood Risk
- 20. Bush Fire Risk
- 21. Aboriginal Cultural Heritage
- 22. Environmental Heritage
- 23. Public Space
- 24. Hazards and Risks

The abovementioned matter(s), and other necessary matters, are addressed in the following section(s).

6.1.1 Statutory Context

This section of the EIS evaluates the statutory and strategic context of the Proposal, in relation to the SEARs and addresses its specific matters.

In response to Item 1 (Statutory Context) of the SEARs, **TABLE 11** specifies the location of each assessment of the relevant statutory and strategic documents.

TABLE 11: STATUTORY CONTEXT REVIEW	
Document	Response / Location of Assessment
<i>Address all relevant legislation, environmental planning instruments (EPs) (including drafts), plans, policies and guidelines.</i>	Refer to PART 4 of this EIS.
<i>Identify compliance with applicable development standards and provide a detailed justification for any non-compliances.</i>	Refer to Appendix B of this EIS.
<i>Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for SEARs (including any components that were not SSD) and provide a justification for any differences.</i>	N/A – the Proposal description has not been amended since the request for SEARs was issued to DPHI.
<i>Address the requirements of any approvals applying to the site, including any concept approval or recommendation from any Gateway determination.</i>	No concept DAs and/or Gateway recommendations apply to the Site. Refer to Section 2.2 of this EIS.
<i>Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical reports into the justification and evaluation of the project as a whole.</i>	Refer to PART 6 and PART 7 of this EIS. The Proposal is consistent the KLEP2013, being within an R1 and R3 zone and providing much needed housing.
<i>If affordable housing is being proposed, provide the name and ABN of the registered community housing provider that will be responsible for managing the affordable housing component, along with documentation confirming the provider's agreement to this responsibility.</i>	N/A – the Proposal is not for affordable housing as defined by Section 1.4 of the EP&A Act.

6.1.2 Estimated Development Cost and Employment

As required by Item 2 (Estimated Development Cost and Employment) of the SEARs, details of EDC associated with the Proposal have been calculated, totalling \$33,272,800.

Reference should be made to **Section 1.5**, **Section 1.6** and **Section 3.3.6** of this EIS.



6.1.3 Contributions and Public Benefit

As required by Item 3 (Contributions and Public Benefit) of the SEARs, the SSDA needs to identify the contributions that are applicable to the Site and Proposal as well as the public benefit that is generated by the Proposal.

6.1.3.1 Public Benefits

The Proposal will deliver numerous public benefits by:

- Provision of residential housing, which will meet the needs of the local community;
- Enhancement of landscaping, including 196 proposed trees;
- Enhancements to the streetscape's character and appearance; and
- Additional / enhanced public infrastructure in the way of a new public footpath and pedestrian crossing on Gregory Street.

These works would be secured through works in kind in the form of a condition of consent.

6.1.3.2 South West Rocks Section 94 Contributions Plan

The *South West Rocks Section 94 Contributions Plan* (South West Rocks CP) applies to the Site. The South West Rocks CP levies contributions based on the anticipated increase in demand for public amenities and services resulting from new development. The contributions are allocated towards infrastructure including roads, open space, community facilities, and drainage to support the growing population within the South West Rocks area.

6.1.3.3 Mitigation Measures

Mitigation measures will be required to ensure contributions are incorporated and may be conditioned accordingly.

6.1.4 Engagement

In response to Item 4 (Engagement) of the SEARs, an Engagement Outcomes and Social Impact Assessment (EOSIA) has been prepared in support of this SSDA.

DPHI's *Undertaking Engagement Guidelines for State Significant Projects (2024)* (Undertaking Engagement Guidelines) outlines key considerations for engagement, including:

- Early and Ongoing Engagement: Proponents are encouraged to initiate engagement activities early in the proposal planning process and maintain continuous communication throughout the Proposal's lifecycle;
- Proportional Engagement: The level of community engagement should be commensurate with the scale and potential impacts of the Proposal;
- Clear Communication: Engagement activities must be transparent, providing stakeholders with accessible and understandable information about the Proposal and its potential impacts.

The following outlines Kempsey Council's expectations for community engagement based on their Community Strategic Plan and Community Engagement Strategy, including:

- Effective community engagement is inclusive, open, easy, meaningful, relevant and timely;
- Encourage participation from those who may find it difficult to participate in standard engagement activities, by offering options that are flexible and appropriate for our community, and that take account of language, literacy, cultural barriers and accessibility consideration;
- Build and strengthen relationships with the community and reduce misinformation and misconceptions;
- Manage risks and minimise negative impacts by understanding potential problems before they escalate.



Drawing on both these inputs, the objectives of engagement are summarised below:

- Inform the local community and key stakeholders about the Proposal;
- Facilitate meaningful and accessible engagement where stakeholders are given opportunities to provide feedback about the Proposal;
- Provide opportunities for stakeholders to influence outcomes by considering and responding to stakeholder feedback;
- Present outcomes from the engagement in a format that demonstrates consistency with the Undertaking Engagement Guidelines.

6.1.4.1 Engagement Carried Out

Analyses of the Proposal, stakeholders, and the surrounding area informed a tiered approach to engagement. This approach ensured engagement was proportionate to the potential impacts of the Proposal on different stakeholders while providing open and transparent channels for communication and opportunities for stakeholders to provide meaningful feedback. **Figure 21** outlines the engagement process of key stakeholders and the community as part of the pre-lodgement SSDA process.

Key Stakeholders	Strategic Intent	IAP2 Level of Engagement	Engagement Activity & Tools
Local Councils, Government Agencies and Authorities			
DPHI and relevant agencies Kempsey Shire Council	To gain technical input and feedback on the proposal	Involve	Direct approach by Project Team's technical consultants as needed to meet SEARs requirements (emails & meetings)
Adjoining Neighbours			
Neighbouring residents in proximity of the site including: • Gregory Street • Tallowood Place • Racemosa Crecent • Arakoon Road • Belle O'Connor Street • Burrawong Drive	Encourage and facilitate involvement in the consultation process	Involve	Community Newsletter #1 via letterbox drop Community Survey via newsletter Invitation to online briefing Provision of project email address
Community Stakeholders			
• Landowners/occupiers of residences, businesses, community services and institutions within approx. 500 metres of the site. • Aboriginal Community: Metropolitan Local Aboriginal Land Council	Raise awareness and provide opportunities for engagement on the proposal	Consult	Community Newsletter #1 via letterbox drop / email Community Survey via Newsletter Provision of project email address

Figure 21. Engagement Approach (Willowtree Communications, 2025)

A range of consultation methods were used to engage with the above-mentioned stakeholders. This extensive project-specific consultation is pre-dated by additional consultation undertaken with the Department and Council in relation to the Proposal. The consultation methods are detailed within the EOSIA provided at **Appendix 22**.



6.1.4.2 Engagement Feedback

Agencies and Authorities

No significant issues were raised by agencies, authorities or identified by technical consultants that required additional engagement. Two (2) ongoing matters relate to Council confirming approvals associated with the delivery phase following the approval of the Proposal in relation to driveway locations and access points to utilities.

Council

On the 26 June 2024, members of the Project Team met with Kempsey Shire Council, as part of the Pre-Lodgement Meeting to submit a Development Application (DA) through Council. During this meeting, Council outlined the following reports and assessments would be required to be submitted with any future DA (at a minimum).

- Architectural Plans – Site Plan, Floor Plans, Elevation Plans, Section Plans.
- SEE – explain the Proposal in detail; adequately addresses all potential hazards and impacts; and demonstrates compliance with all relevant legislation, policy and guidelines. Key consideration to address within the SEE is how the Proposal complies with Chapter C1 of the Kempsey Development Control Plan 2013 and any justification must be provided for any proposed variations to the DCP requirements;
- Stormwater Management Plan;
- Pedestrian Access Management Plan (PAMP) and Bike Plan
- Construction Site Management Plan;
- Earthworks Plan;
- Landscape Plan;
- Streetscape Plan;
- Bushfire Assessment Report;
- Construction Management Plan; and
- Traffic Impact Assessment

Following an Expression of Interest to the Housing Delivery Authority the Proposal was able to be progressed as an SSDA. Council's previous feedback was incorporated into the Proposal. On the 9 May 2025, Willowtree Communications emailed Council a copy of the Community Newsletter, which included a QR code to complete the online survey and offer to provide further information. Council did not respond to the email/invitation to meet with the project/engagement team. A further email was sent in early June, again with no response.

Community Stakeholders

Survey Outcomes

The local community and key stakeholders were invited to take part in the online survey. 14 fully completed responses to the survey were received from community members with the survey closing on 26th May 2025. An analysis of the key survey questions and results are provided below:

Locality of respondents

- respondents confirmed they live on the streets close to the site, 3 respondents lived further than 500m from the site, and 2 were regular visitors to Southwest Rocks.

Level of support

- Of the survey respondents questioned on support for the Proposal;
- less than half were either are very unsupportive (5) or unsupportive (1) for the Proposal;
- four (4) respondents expressed that they were supportive and one (1) supportive Proposal;
- three (3) respondents were neutral towards the Proposal.

Key Concerns

Of the survey respondents questions on the aspects of the Proposal that concerns them:



- 10 respondents were concerned about traffic impacts on Gregory Street and impacts on existing services;
- Nine (9) respondents were concerned with the scale of the Proposal;
- Six (6) respondents were concerned with increased local population;
- Six (6) respondents provided additional feedback

Positive aspects

Of the survey respondents questions when asked to consider the most positive aspects of the Proposal:

- Four (4) respondents were positive about greater supply in the area;
- Three (3) respondents were positive about the provision of community-based housing;
- Three (3) respondents provided additional feedback.

Further details regarding the concerns and positive aspects are provided in the EOSIA. Key concerns raised through free text sections of the survey mostly raised the concern for the pressure on existing infrastructure to support a growing population.

A detailed analysis of the key issues arising from the community engagement is included within **Appendix C** of this EIS.

6.1.4.3 Engagement to be Carried Out

The Proponent is committed to ongoing community consultation following the submission of the EIS.

In accordance with the EP&A Regulation, DPHI will exhibit the SSDA on the Major Projects NSW website and invite submissions from both government agencies and the public. Once the exhibition period is complete, DPHI may require the Proponent to prepare a Response to Submissions Report addressing the issues raised. The Proponent will continue to liaise with DPHI and stakeholders during the assessment of this SSDA to address queries that may arise.

All planned engagement activities will follow the principles listed above that are directly referenced in DPHI's *Undertaking Engagement Guide – Guidance for State Significant Projects*.

6.1.4.4 Mitigation Measures

A mitigation measure will be included to require the nominated plans, identified above, to be implemented.

6.1.5 Design Quality

In response to Item 5 (Design Quality) of the SEARs, **TABLE 12** specifies the location of the response to each assessment requirement relevant to the Proposal.

TABLE 12: DESIGN QUALITY REVIEW	
SEARs Assessment Requirements	Response / Location of Assessment
<i>Demonstrate how the development will achieve:</i> ▪ <i>design excellence in accordance with any applicable EPI provisions.</i> ▪ <i>good design in accordance with the seven objectives for good design in Better Placed.</i>	Design excellence is not required for the Proposal under any applicable EPIs.
<i>Demonstrate that the development:</i> ▪ <i>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; or</i>	N/A – the Proposal is not required by any EPI to undergo a competitive design process. No concept approval applies to the Site.



TABLE 12: DESIGN QUALITY REVIEW

SEARs Assessment Requirements	Response / Location of Assessment
<i>in all other instances, has been reviewed by the State Design Review Panel (SDRP) where required under the NSW SDRP: Guidelines for Project Teams.</i>	
<i>Recommendations of the jury and Design Integrity Panel (where a competitive design process has been held) or the SDRP are to be addressed prior to lodgement.</i>	N/A – A competitive design process or a SDRP were not required for this SSDA.

6.1.6 Built Form and Urban Design

This section of the EIS provides a detailed assessment of the Proposal in accordance with Item 6 (Built Form and Urban Design) of the SEARs. **TABLE 13** specifies the location of each assessment of the relevant statutory and strategic documents.

TABLE 13: BUILT FORM AND URBAN DESIGN

Document	Response / Location of Assessment
<i>Demonstrate how 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. Where relevant explain and illustrate the application of any bonuses under an EPI.</i>	Refer to Design Report at Appendix 5. Refer to discussion in Section 6.1.6.2 below. Note: There are no relevant bonuses applicable from any EPI for the Proposal.
<i>If relevant, provide an assessment of the development against:</i> <i>the design principles for seniors housing set out in Schedule 8 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and the Seniors Housing Design Guide.</i> <i>the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and the Apartment Design Guide (ADG). This should include a table which demonstrates how each dwelling (including affordable dwellings) performs against the ADG design criteria.</i>	The Proposal does not incorporate any seniors housing and is not defined as a residential apartment development.
<i>If affordable housing is proposed, provide a floorplan outlining the gross floor area and dwellings that are provided as affordable housing.</i>	The Proposal does not incorporate any affordable housing as defined in the EP&A Act.

6.1.6.1 Existing Environment

The Site is a predominately cleared parcel of land within an established urban area and fronts Gregory Street to the west and Racemosa Circuit to the south. The Site features a gradual slope from northeast to southwest and is traversed by a 20m wide electricity easement containing a transmission line.

Surrounding development predominantly comprises low density residential housing, predominately being detached dwellings on conventional lots. The streetscape is characterised by open frontages, moderate building setbacks, and minimal formal landscaping. The Site is located approximately 300m south of Rocks Central Shopping Centre which has a maximum building height of approximately 9m.



Strategically, the Site forms part of an identified urban area, consistent with the Regional Plan and the LSPS, supporting the delivery of well-located, diverse, and affordable housing to meet the needs of South West Rocks' growing and ageing population.

6.1.6.2 Assessment of Impacts

The proposed built form is limited to the clubhouse, maintenance shed, sheltered picnic settings, pickleball court and pool cabana. The proposed clubhouse and maintenance shed buildings are significantly set back from Gregory Street and Racemosa Circuit and would not be viewable from the public domain. The proposed clubhouse buildings compliance with the KLEP2013 height control is demonstrated in **Figure 22** below.

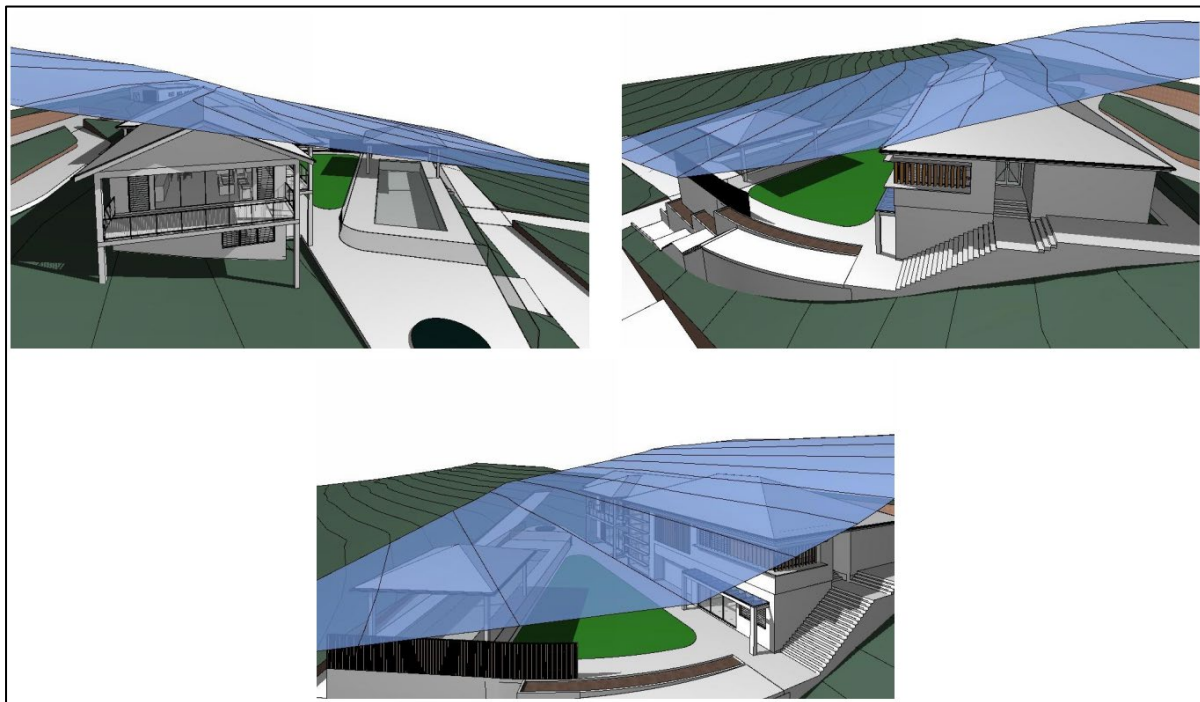


Figure 22. Height Control (Source King + Campbell, 2025)

The built form for each of the dwelling sites is subject to purchaser preference and will be undertaken via the Section 68 approval process under the LG Act and must be installed in accordance with the LG Regs. For reference, Preliminary Home Designs are provided at **Appendix 19**. The street elevation of the preliminary home designs as shown in **Figure 23** are similar in design to the facades of nearby existing dwelling houses ensuring the village context of South West Rocks is maintained.

The future installation of the proposed homes will be subject to compliance with design and construction requirements contained in the LG Regs, as detailed in **TABLE 10** and **Section 6.1.25** of this EIS.

The architectural form of the preliminary home designs reflects a modern suburban character, featuring pitched roofs, varied facades, and high-quality materials such as lightweight cladding, stone, and rendered elements. These design choices, along with private outdoor spaces, reinforce the appearance of individual, permanent homes and will ensure the Proposal maintains a high standard of residential quality.

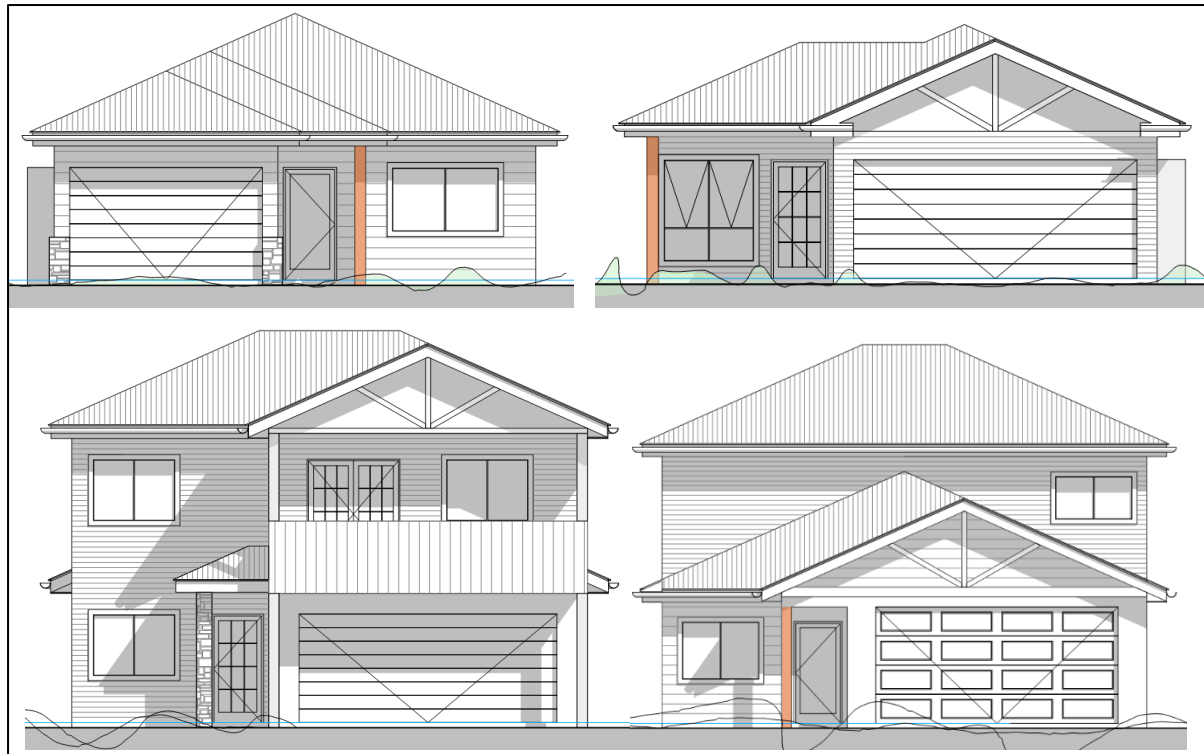


Figure 23. Preliminary Home Designs Street Elevations (Source: King + Campbell, 2025)

The Proposal has been designed to enhance street activation along Gregory Street by prioritising pedestrian connectivity and visual integration. Each dwelling site fronting Gregory Street will feature direct pedestrian access via stairways, facilitating engagement with the streetscape and improving permeability. As shown in **Figure 24**, fencing within the setback will comprise 1.2m high permeable fencing positioned atop terraced, split-face concrete block retaining walls, which will range from 0.8m to 1.2m in height. These retaining walls and fences will be setback approximately 4m from the front Site boundary to Gregory Street. The design has sought to minimise the extent of retaining walls along this frontage where feasible to reduce bulk and ensure a more visually integrated interface with the street.

The proposed pickleball court is located in the southwest corner of the Site. This location has been chosen to accommodate the underground stormwater detention tank, making the dual use of this area appropriate. The court will include 3m high black chainwire fencing, which will be set back approximately 4m from the Gregory Street frontage and 3m from the southern Site boundary. The proposed location, size, and design of the pickleball court ensure it integrates seamlessly with the Site while minimising any impact on visual amenity.

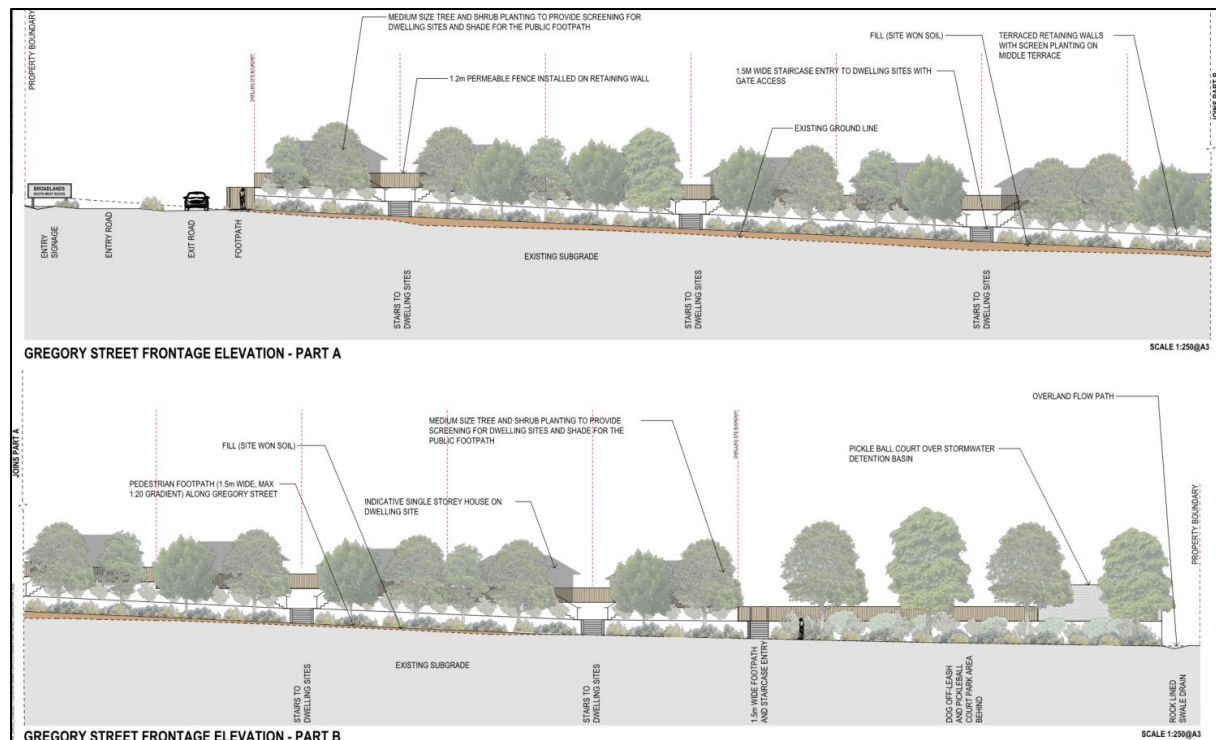


Figure 24. Proposed Gregory Street Elevations (Source: King + Campbell, 2025)

Details of proposed fencing is provided at **Appendix 9**.

To further soften the visual impact of these structures, a comprehensive landscaping approach is proposed, incorporating tree and shrub planting along the Gregory Street frontage. The proposed landscape treatment will provide a natural buffer, enhancing the aesthetic quality of the retaining walls and fostering a more pedestrian-friendly environment.

Canopy trees, ranging from 8m to 10m in height, will be planted within the setback area, contributing to the broader urban canopy, reinforcing the green character of the streetscape, and improving microclimate conditions. These trees will also provide shade and amenity for the public path within the road reserve, enhancing pedestrian comfort and walkability. The integration of greenery along the frontage aligns with best practices for greenfield development, ensuring a cohesive and well-considered transition between private and public domains.

6.1.6.3 Management and/or Mitigation Measures

A single detached dwelling will be installed within each of the proposed dwelling sites. The proposed dwelling sites are set back 3.5m from the front boundary to Gregory Street and 3m from the southern side boundary. The KDCP2013 requests a minimum front setback of 5m and a minimum side and rear setback of 3m.

The Site Plan at **Figure 13** includes indicative building envelopes on select dwelling sites to demonstrate the Preliminary Home Designs provided at **Appendix 19** can be accommodated within the Site, in compliance with the KDCP2013 setback controls.

6.1.7 Environmental Amenity

This section provides a detailed assessment of the Proposal in accordance with Item 7 (Environmental Amenity) of the SEARs.

6.1.7.1 Existing Environment

The existing environmental amenity of the locality is defined by a predominantly low-intensity residential setting with a combination of suburban and semi-rural character. Low density residential development is located to the south and west of the Site, comprising detached dwellings on standard residential allotments.

Immediately to the northeast and east of the Site, the locality transitions to large lot residential development. These allotments are characterised by greater separation between dwellings, increased setbacks from property boundaries, and significant mature vegetation. This land is mapped as Scenic Protection Land. Refer to **Figure 25**. Scenic Protection Land is earmarked under the KLEP2013 for reduced visual impact as viewed from major roads and public places. The vast majority of the Site is located downhill of this Scenic Protection Land and is not situated within a known view corridor or in proximity to any landmark. A small section of the Site (south east corner) is located within the Scenic Protection Land (58m²).

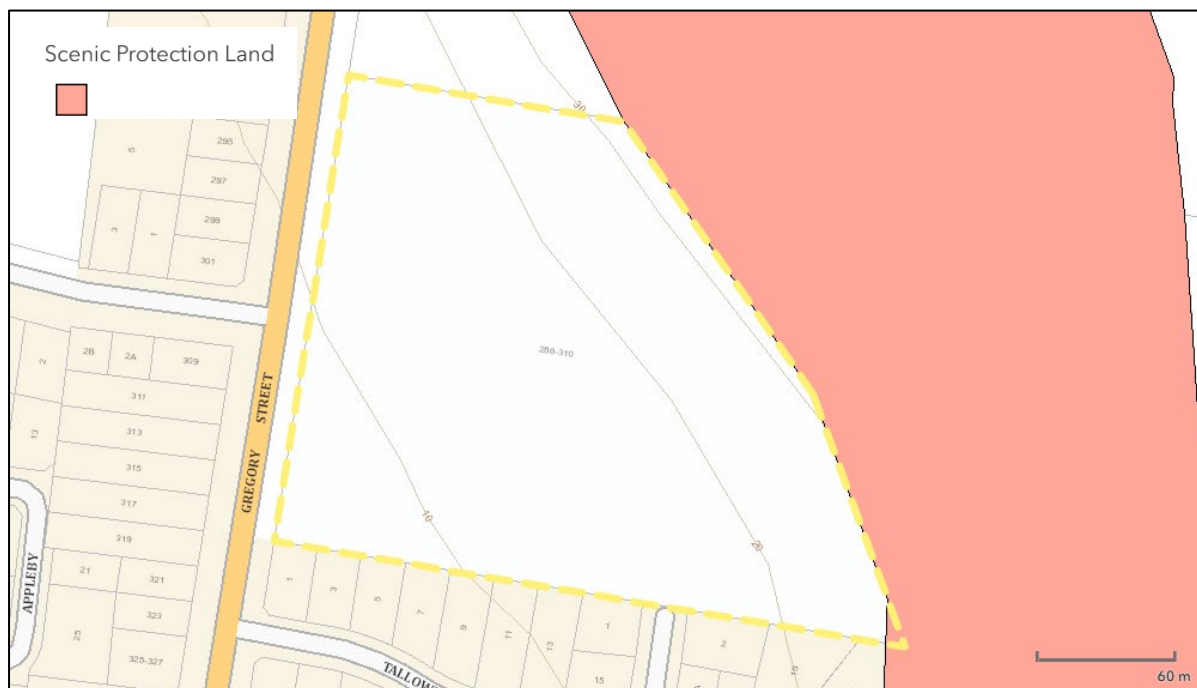


Figure 25. KLEP2013 Scenic Protection Land Mapping (Source: ePlanning Spatial Viewer, 2025)

6.1.7.2 Assessment of Impacts

Solar Access and Overshadowing

The proposed built form has been designed to maintain solar access to surrounding properties. The two storey community clubhouse, which is the tallest structure proposed, is centrally located within the Site and is set back more than 20m from all boundaries. The proposed maintenance shed building, which is single storey in scale, is set back more than 4m from all boundaries. These generous setbacks, combined with the low-rise form of development and orientation of buildings away from adjacent dwellings, will ensure that no unreasonable overshadowing impacts occur to any neighbouring properties.

Manufactured homes are proposed to be installed within each dwelling site under a separate approvals process, which will include an individual assessment of their impacts on neighbouring properties regarding solar access. Notwithstanding, these future homes will be located within the boundaries of the proposed dwelling sites which are setback a minimum of 3m from all boundaries. The combination



of compliant setbacks, modest building heights, and internal orientation of homes will ensure that adequate solar access is maintained for both future residents and surrounding properties.

Visual Privacy

Visual privacy will be preserved through the provision of boundary fencing, appropriate spatial separation and proposed landscaping, including 196 new trees. The layout of the dwelling sites and communal facilities ensures that habitable areas are directed inward, away from adjoining properties. Private open space for each dwelling will be located and designed to maintain privacy and minimise the potential for overlooking.

Fencing along the side and rear boundaries of the Site will further assist in screening the Proposal from neighbouring lots. The built form is a mixture of single and double storey in height, and the internal road and landscape network provides an additional buffer that reinforces visual separation between the Site and surrounding residential development.

View Loss and View Sharing

The Proposal is not expected to result in the loss of significant or iconic views from surrounding properties. The proposed buildings are of a modest height and are dispersed across the Site in a pattern that preserves sky views and outlook from adjoining properties.

The proposed built form appropriately balances development potential with the protection of neighbouring residential amenity.

Wind Impacts

Due to the scale and form of the Proposal, it would not result in any adverse wind impacts. The proposed dwelling sites will accommodate single and double storey homes and are distributed across the Site in a manner that allows natural breezes to flow through. The Proposal is highly unlikely to generate wind tunnelling, downdrafts, or significant alterations to the existing microclimate due to the small scale of the proposed buildings and dispersal through the Site.

In addition, the Proposal includes significant landscaping, which will assist in diffusing winds and enhancing comfort for pedestrians and residents. The low rise nature of the Proposal and the inclusion of soft landscaping elements ensure that the Proposal is appropriate in terms of wind impacts.

The proposed layout will also enable sufficient separation distances between each proposed dwelling site to ensure that the future properties will benefit from adequate cross ventilation to help cool the buildings rather than rely on mechanical ventilation.

Lighting Impacts

Lighting within the Proposal will be installed in accordance with standard residential design practices and relevant Australian Standards. Lighting will be limited to low-level fixtures along internal roadways, pedestrian paths, and communal open space areas to provide safety and security for residents. All lighting will be directed downward and shielded to minimise light spill beyond the Site.

Reflectivity

External materials and finishes have been selected to avoid reflectivity impacts. All buildings and structures will incorporate low-glare, matte, or neutral-coloured materials that do not create excessive glare or visual disturbance. Roof and wall cladding will be non-reflective and consistent with materials typically used in residential developments of this nature.



Given the modest building heights, separation from neighbouring lots, and the application of appropriate finishes, the Proposal is not expected to result in adverse glare or reflectivity impacts to adjoining properties or public spaces.

6.1.7.3 Management and/or Mitigation Measures

The centrally located community facilities and low-scale built form, combined with generous setbacks and extensive landscaping, will ensure no unreasonable overshadowing, view loss or wind impacts.

Lighting will be designed to comply with the relevant Australian Standards, and the preparation of a lighting strategy may be conditioned to be provided prior to the issue of a Construction Certificate.

Potential environmental amenity impacts during construction will be managed through the preparation of a Construction Environmental Management Plan, which may be conditioned to be provided prior to the issue of a Construction Certificate.

Future installation of the manufactured homes will be undertaken in accordance with the requirements of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. This includes Clause 11, where before approving the installation of a manufactured home of more than one (1) storey, the Council must consider the likely impact on the amenity of occupiers of adjoining manufactured homes and occupiers of land adjoining the manufactured home estate.

6.1.8 Visual Impact

This section provides a detailed assessment of the Proposal in accordance with Item 8 (Visual Impact) of the SEARs.

6.1.8.1 Existing Environment

The Site is currently vacant and has recently been cleared of most vegetation and benefits from a varied topography. The Site is located within a predominately low density residential area. The surrounding properties range between one (1) and two (2) storeys and are mostly detached homes with reasonably sized front and rear gardens. There is a section of woodland running along the north east of the Site that is designated as Scenic Protection Land. A very small section (58m²) of the Site in the south east corner is inside the Scenic Protection Land designation.

However, it should be noted that the area is currently experiencing some change in the form of residential development, notably to the north and west of the Site.

6.1.8.2 Assessment of Impacts

The Proposal involves minimal changes to existing vegetation on the Site, resulting in the removal of two isolated trees in the centre of the Site. This is due to the vegetation being already removed under the previous consent (T6-14-333).

The Proposal will result in cut and fill earthworks and associated retaining walls due to the topography of the Site. However, these works would not result in significant impacts to the existing visual appearance of the surrounding area as shown in the street elevation along Gregory Street in **Figure 24** above.

The Proposal includes a two (2) storey clubhouse located in the centre of the Site, a single storey maintenance shed in the south western corner of the Site and other minor works, including a pickleball court and internal roads and street lighting. The Proposal also contains 101 individual dwelling sites evenly distributed throughout the Site. While the individual dwellings would be designed and



approved via a separate pathway post approval, indicative designs have been provided that demonstrate that these dwellings would be modest in scale (between one (1) and two (2) storeys) and designed to reflect the design and scale of existing development in the area, and in some instances, being subservient to adjoining properties. This is illustrated in **Figure 26** and **Figure 27** below.



Figure 26. Example of Housing Options (Source: King + Campbell, 2025)

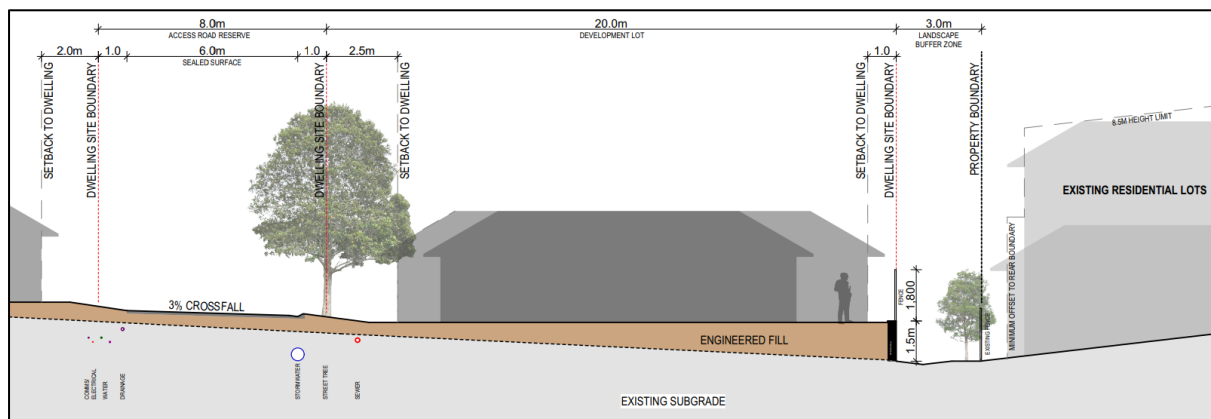


Figure 27. Section F – Proposed height compared to neighbouring properties (Source: King + Campbell, 2025)

The Proposal incorporates a significant amount of landscaping including the planting of 196 native trees. The proposed trees would be planted throughout the Site, including along the proposed internal roads, along the Gregory Street frontage and along the north eastern boundary. Hedging is also proposed along boundaries with neighbouring properties. The proposed landscaping and tree planting will help to further soften and integrate the Proposal into the suburban character and blend into the adjoining Scenic Protection Land to the north east. Refer to **Figure 28**, **Figure 29** and **Figure 30** below.

Overall, it is considered that the proposal will be of a high quality that successfully integrates with its surroundings and will not result in any material impact upon the visual amenity of the surrounding area, including the Scenic Protection Land to the north east.





Figure 28. Gregory Street visual representation (Source: Premier 3D, 2025)





Figure 29. Aerial view of the Proposal facing north (Source: Premier 3D, 2025)



Figure 30. Aerial view of the Proposal facing south east (Source: Premier 3D, 2025)



6.1.8.3 Management and/or Mitigation Measures

Management measures include maintaining the proposed landscaping and tree planting as and when required.

6.1.9 Transport

This section provides a detailed assessment of the Proposal in accordance with Item 9 (Transport) of the SEARs. A Transport Impact Assessment (TIA) has been prepared by InRoads Group and is provided at **Appendix 8**.

6.1.9.1 Existing Environment

The Site has frontage to Gregory Street to the west and Racemosa Circuit to the south. Gregory Street is a classified Regional Road forming part of Road 460, which connects the Pacific Highway (HW10) at Clybucca to South West Rocks via Plummers Lane and South West Rocks Road.

In the vicinity of the Site, Gregory Street extends in a generally north-south direction and is signposted at 50km/h. Racemosa Circuit is a local access road terminating at the Site's southern boundary. It provides a 9m wide sealed carriageway within a 20m wide road reserve.

Two priority (give-way) controlled T-intersections are located in proximity to the Site:

- Gregory Street / Lindsay Noonan Drive Intersection: Located directly opposite the Site, carriageway widening is provided on Gregory Street (southbound) to enable a through vehicle to pass a vehicle turning into Lindsay Noonan Drive.
- Gregory Street / Tallowood Place Intersection: Located south of the Site, a northbound vehicle could pass a vehicle turning right into Tallowood Place using the road shoulder. Pavement widening is provided on the eastern side of the road at the intersection, extending to the frontage of the Site (the southern Site boundary).

Crash data obtained from TfNSW for the period 2019–2023 indicates one recorded crash at each of the nearby intersections. This low crash incidence does not indicate the presence of any systemic road safety issues in the immediate area.

Traffic volume data sourced from Council indicates the following recorded volumes on Gregory Street (approximately 90m north of Spencers Creek Road):

- 2021 AM peak (8am – 9am): 229 northbound, 306 southbound
- 2021 PM peak (4pm – 5pm): 317 northbound, 205 southbound

6.1.9.2 Assessment of Impacts

Traffic Generation

The Proposal is expected to generate approximately:

- 23 vehicle trips during the AM peak hour
- 26 vehicle trips during the PM peak hour

This equates to fewer than one (1) vehicle trip every two (2) minutes, a level of traffic that the TIA has concluded will integrate smoothly into the surrounding road network without significant impact on traffic conditions.

A capacity analysis confirms that the proposed Site access will function efficiently, with minimal queuing and delays. No external road upgrades are required for traffic capacity.



Parking

A total of 26 visitor parking spaces, including two (2) accessible spaces, will be provided within the Site, ensuring compliance with KDCP2013 requirements.

Each dwelling will be equipped with either a single or double garage, depending on purchaser preference, ensuring adequate on-site parking for residents. Each individual manufactured home would be applied for via the Section 68 approval process under the LG Act and must be installed in accordance with the LG Regs, which would require assessment on their own merits. Each manufactured home would need to meet the design requirements set out in the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*, including parking provisions.

Vehicular Site Access

The Proposal's primary vehicular access will be from Gregory Street, near the northern boundary. The primary vehicular access driveway design is proposed to be 12m in width, comprising:

- 5m wide entry lane
- 2m wide central island
- 5m wide exit lane

The location of the proposed access will provide approximately 100m separation from the intersection of Lindsay Noonan Drive (measured centreline to centreline), which is supportable from a traffic perspective, and has been approved by RMS under Development Approval T6-14-333. Sight distances to/from the access were also assessed under the application process prior to the existing approval being granted, and it was concluded that adequate sight distances to/from the Site access were available to facilitate safe Site access and egress.

In addition, the maximum permitted gradient of the access driveway is to be 1:20 for a minimum distance of 6m inside the property boundary, in accordance with AS2890.1 requirements. This requirement could reasonably be addressed at detailed design stage, in response to a condition of the consent.

The driveway design accommodates the largest expected service vehicle, a 10.4m side-loading Refuse Collection Vehicle (RCV). The TIA swept path analysis confirms that a 12.5m Heavy Rigid Vehicle (HRV) can also navigate the Site if necessary.

The Proposal will be a gated community, with security gates positioned 12m inside the property boundary to allow adequate queuing space. Access control will be managed via an intercom/swipe card reader at the central island. Given the expected vehicle arrival rates during peak hours, this design is sufficient to prevent congestion on Gregory Street.

Regarding the road design within the Site, all proposed road widths exceed the minimum recommendations stipulated in the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*. Refer to **Figure 31** below. Furthermore, the internal road network is efficient and legible (without any terminating roads) and will provide direct and convenient access to the dwelling sites proposed.





Figure 31. Internal Road Network Hierarchy (Source: InRoads Group, 2025)

Emergency Access

A secondary emergency-only access will be provided from Racemosa Circuit, comprising a 4m wide roadway within an 8.5m wide road reserve. Access will be restricted via a locked gate or removable bollards, ensuring availability only for emergency services.

Pedestrian Access

Pedestrian connectivity will be significantly enhanced through the following measures:

- A new 1.5m wide footpath along the entire Gregory Street frontage
- A pedestrian crossing north of Lindsay Noonan Drive, incorporating:
 - Kerb ramps for accessibility
 - Kerb build-outs to shorten crossing distances
 - A pedestrian refuge in the centre of Gregory Street

These improvements align with Council's Pedestrian Access and Mobility Plan (PAMP), enhancing pedestrian safety and connectivity.

Within the Site, off-road footpaths will be provided in high pedestrian traffic areas, while lower traffic internal roads will function as shared spaces, balancing vehicle and pedestrian movement safely. Refer to **Figure 32**.



Figure 32. Proposed Pedestrian Footpaths (Source: InRoads Group, 2025)

6.1.9.3 Management and/or Mitigation Measures

A draft Construction Traffic Management Plan (CTMP) accompanies this SSDA. The draft CTMP outlines measures to manage construction related vehicle movements, minimise disruption to the surrounding road network, and ensure the safe and efficient movement of vehicles, pedestrians, and cyclists during the construction period.

A final CTMP will be prepared as part of the Construction Environmental Management Plan (CEMP) prior to the issue of the Construction Certificate.

Detailed design of the access ramp could be secured as a condition of consent if deemed necessary.

Pavement widening and the installation of a central pedestrian refuge are proposed along Gregory Street and therefore require approval under the *Roads Act 1993* (Roads Act). All works will be designed and undertaken in accordance with Council's engineering standards and any conditions of the Roads Act approval. These works would be secured as a condition of consent.

6.1.10 Noise and Vibration

This section provides a detailed assessment of the Proposal in accordance with Item 10 (Noise and Vibration) of the SEARs. A Noise and Vibration Impact Assessment (NVIA) (refer to **Appendix 12**) includes an assessment of the potential noise and vibration impacts during the construction works and operation of the Proposal, as well as noise intrusion from traffic.

6.1.10.1 Existing Environment

The location of the Proposal and the surrounding noise sensitive receivers are shown in **Figure 33** below. The noise sensitive receivers have been delineated into receiver catchments (RCs). RCs have been identified with a detailed description in **TABLE 14** below.





Figure 33. Surrounding Noise Sensitive Receivers (Source: E-LAB Consulting, 2025)

TABLE 14: DESCRIPTION OF NEARBY NOISE SENSITIVE RECEIVER CATCHMENTS	
Receiver Catchment	Description
RC1 - Residential	Single and multi-story residential developments to the south of the Site. The nearest properties within this RC range between approximately 1m to 25m from the southern Site boundary.
RC2 - Residential	Single and multi-story residential developments to the east of the Site. The nearest property within this RC is approximately 50m from the eastern Site boundary.
RC3 - Residential	Single and multi-story residential developments to the west of the Site on the opposite side of Gregory Street. The nearest property within this RC is approximately 35m from the western Site boundary.
RC4 - Commercial	Commercial developments to the north-east of the Site, across Gregory Street. The nearest commercial property within this RC is approximately 215m from the north western Site boundary.

6.1.10.2 Assessment of Impacts

Construction Noise and Vibration Criteria

The NVIA considers impacts (both in terms of noise and vibration) to adjacent sensitive receivers and identifies several mitigation measures that could be incorporated into the construction phase of the Proposal prior to, and during, the construction phase. These mitigation measures could include:

- Identification of proposed construction staging and methodology;
- Identification of project specific work zones, hardstand areas, material delivery/removal zones, vehicle access, crane locations, and generator and site office locations;
- Assessment of noise impacts from project specific works to nearby noise sensitive receivers, and review of exceedance against construction noise management levels;



- Determination of all reasonable and feasible noise mitigation measures, including:
 - Noise mitigation measures
 - Screening
 - Crane mitigation measures
 - Reversing and warning alarm mitigation measures
- Provision of a noise and vibration monitoring plan; and
- Details for complaint handling procedures.

These mitigation measures would be secured in a Construction Environmental Management Plan that would be implemented prior to a Construction Certificate.

Operational Noise and Vibration

Mechanical services for the Proposal are expected to be limited to outdoor AC condensers and small exhaust fans. At this stage of the Proposal, mechanical plant and equipment selections have not been made. During the design development stage of the Proposal, the mitigation measures outlined below should be considered when preparing the mechanical services to ensure compliance with the external noise emissions criteria.

Regarding the proposed clubhouse, to reduce the risk of intrusive and/or offensive noise emissions to surrounding noise-sensitive receivers, operational noise management techniques may be required to reduce the noise generated by residents. The *Residential (Land Lease) Communities Act 2013* includes provisions on how communal facilities are managed to ensure that residents of the Proposal and neighbouring properties are not unduly impacted from noise and disturbance.

Future Residents of the Proposal

Clause 2.120 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP), through which the Interim Guideline road noise criteria applies through, only applies for roads with an annual average daily traffic volume of more than 20,000 vehicles, or if the road is a freeway, tollway or transitway.

In this case, Gregory Street is not identified as a major road and is not mandatory for assessment under the T&I SEPP.

In absence of applicable T&I SEPP internal noise criteria, AS/NZS 2107:2016 "*Acoustics - Recommended design sound levels and reverberation times for building interiors*" provides recommended design sound levels within occupied spaces for various building types and usages. With no major external noise sources (major roads or rail corridors) impacting the Proposal, internal noise levels are expected to be achieved with standard façade constructions, without the need for high performing systems (such as double glazing).

6.1.10.3 Management and/or Mitigation Measures

Mechanical services

Mitigation measures for the mechanical plant should be considered during the Design Development stage to comply with the noise emission criteria identified within the NVIA. These amelioration measures could include, but are not limited to the following:

- Positioning mechanical plant away from nearby noise sensitive receivers;
- Acoustic attenuators fitted to duct work;
- Screening around mechanical plant;
- Acoustic insulation within duct work;
- Acoustically insulated bends fitted to duct work; and
- Reselection of mechanical plant.

Clubhouse

Use of the communal clubhouse and associated areas (pool, outdoor seating area) shall be subject to the following mitigation measures:



- Signage displayed to remind patrons to consider the noise environment of the residents while utilising the communal outdoor areas.

Pickleball court

Use of the pickleball courts shall be subject to the following mitigation measures:

- Signage displayed to remind patrons to consider the noise environment of neighbouring residents while utilising the courts.
- Use of the pickleball courts to be limited between the hours 7am to 8pm.

Construction noise and vibration

A Construction Environmental Management Plan would be secured as a condition of consent and would include, but not be limited to:

- Identification of proposed construction staging and methodology;
- Identification of project specific work zones, hardstand areas, material delivery/removal zones, vehicle access, crane locations, and generator and site office locations;
- Assessment of noise impacts from project specific works to nearby noise sensitive receivers, and review of exceedance against construction noise management levels;
- Determination of all reasonable and feasible noise mitigation measures, including:
 - Noise mitigation measures
 - Screening
 - Crane mitigation measures
 - Reversing and warning alarm mitigation measures
- Provision of a noise and vibration monitoring plan; and
- Details for complaint handling procedures.

Overall, noise and vibration during both the construction and operational phases of the Proposal can be suitably managed, with mitigation measures included to this effect.

6.1.11 Water Management

This section provides a detailed assessment of the Proposal in accordance with Item 11 (Water Management) of the SEARs. An Integrated Water Management Plan (IWMP) has been prepared by King + Campbell and is provided at **Appendix 13** of this EIS.

6.1.11.1 Existing Environment

The Survey Plan provided at **Appendix 6** of this EIS identifies a 900mm diameter trunk main located along the Site's frontage to Gregory Street. The lawful point of discharge is a Council grated stormwater pit located within an existing swale in the southwest corner of the Site.

Due to the surrounding topography, stormwater from the adjacent catchments naturally drains toward this swale, as shown in **Figure 34**. Based on the existing landform and observed flow paths, the accompanying Integrated Water Management Plan (**Appendix 13**) identifies that the pre-development sub-catchment arrangement is as follows:

- Catchments 4.0, 5.0 and 6.0 (northeastern and eastern catchments) generally fall toward the southwest. Stormwater from these areas is assumed to flow through the Site and typically concentrates within the swale in the southwest corner of the Site. This swale conveys flows to Council's 300mm diameter stormwater pipe, which outlets to a grated pit connected to the 900mm diameter trunk main running south along Gregory Street.
- Catchments 2.0 and 3.0 (northern catchments) drain in a south westerly direction and concentrate within Council's swale drain located within the Gregory Street road reserve, before entering the same stormwater pit referenced above.



- Catchment 7.0 (southern catchment) drains in a north-westerly direction, entering the Site from the south and concentrating within the swale located along the southern boundary. Catchment 7.0 includes the residential lots north of Tallowwood Place.

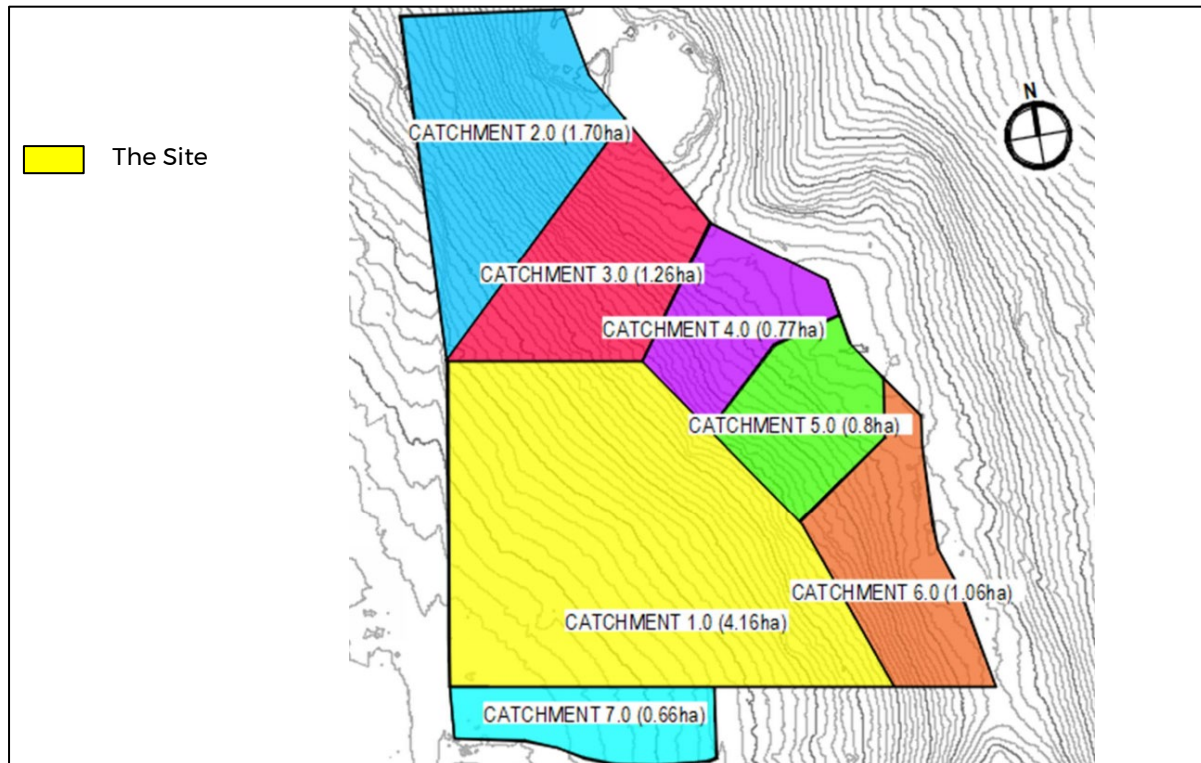


Figure 34. Pre-development Stormwater Catchments (Source: King + Campbell, 2025)

6.1.11.2 Assessment of Impacts

The post-development sub-catchment arrangement is illustrated in **Figure 35** and reflects the proposed drainage infrastructure upgrades. The post-development stormwater flow paths are summarised as follows:

- Stormwater from Catchment 2.0 will be directed southward into Council's 900mm diameter trunk main via an upgraded swale, replacing the existing swale within the Gregory Street road reserve.
- Stormwater flows generated within the Site (Catchments 1.0 and 1.1) will exhibit a high early discharge. These flows will be captured by a proposed network of pits and pipes and conveyed to the southeast corner of the Site, where they will discharge into Council's stormwater network.
- Stormwater from Catchments 3.0 and 4.0 will be collected by a swale running along the northeastern retaining walls. The flows will be directed into the western bypass line via a series of pits and conveyed westward to discharge via a headwall into the upgraded swale in the Gregory Street road reserve.
- Stormwater from Catchments 5.0 and 6.0 will be captured by a swale positioned along the eastern retaining wall and conveyed into the eastern bypass line via a series of pits. These flows will be directed to the proposed 350m³ detention basin. A suitable stormwater outlet will be confirmed during the detailed design phase, with discharge to occur into Council's stormwater network within the Gregory Street road reserve.
- Stormwater from Catchment 7.0 will continue to flow in a north-westerly direction, entering the Site from the south, and will be managed by a proposed stormwater pipe and swale system located along the southern boundary of the Site.

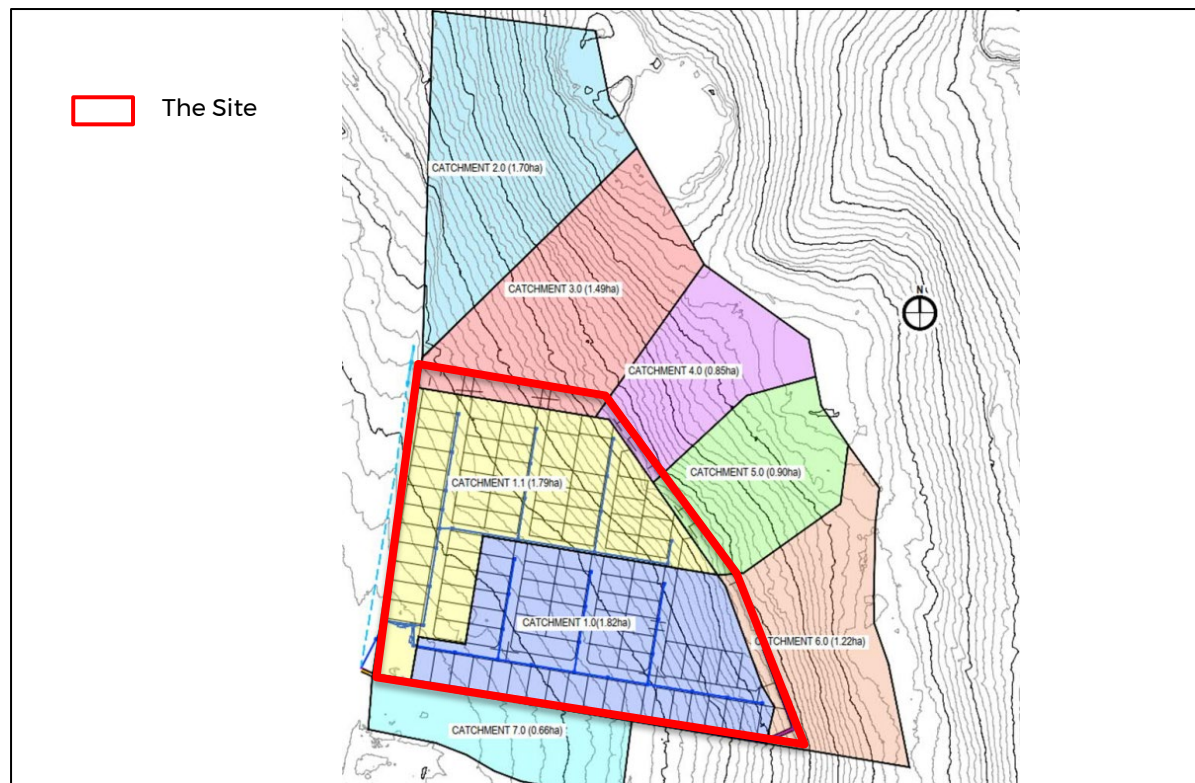


Figure 35. Post-development Stormwater Catchments (Source: King + Campbell, 2025)

6.1.11.3 Management and/or Mitigation Measures

Proposed stormwater quality measures includes two (2) privately managed Atlan basins and two (2) Atlan Ecoceptors, forming the primary elements of the treatment train. Stormwater quantity measures include a 350m³ detention basin which is designed exclusively for upstream catchment flows and does not contribute to the treatment train for the Proposal.

As shown in **TABLE 15**, the post-development stormwater discharge rates remain below the pre-development rates for the 20%, 5%, and 1% AEP storms.

TABLE 15. PRE AND POST DEVELOPMENT STORMWATER DISCHARGE RATES		
AEP (%)	Pre-Development (L/sec)	Post Development (L/sec)
20	2140	2050
5	3330	3040
1	4580	4440

The stormwater treatment system features two (2) Atlan Ecoceptor Class 3 GPTs and two (2) Atlan Basins (SQIDDEP verified) 4L/s systems, strategically located in the southwest corner and southern sections of the Site. Refer to **Figure 16** above.

The IWMP confirms that the proposed strategy effectively mitigates both stormwater quantity and quality impacts, meeting the stormwater objectives of the KDCP2013.

6.1.12 Ground and Groundwater Conditions

This section provides a detailed assessment of the Proposal in accordance with Item 12 (Ground and Groundwater Conditions) of the SEARs. A Geotechnical Assessment has been prepared by Hunter Geotechnical Services (HGS) and is provided at **Appendix 14** of this EIS.



6.1.12.1 Existing Environment

Fieldwork included borehole drilling, test pit excavation, and laboratory testing to characterise subsurface conditions and inform the engineering design of the Proposal.

The Site comprises sloping terrain associated with the lower and mid-slopes of a rounded ridgeline. Topography generally falls from approximately RL 30m AHD in the northeast to RL 6m AHD in the southwest. The upper portions of the Site feature steeper grades and exposed granite outcrops, while the lower areas transition to more subdued slopes and valley floors.

Subsurface conditions are typical of granitic terrain and include variable depths of topsoil, colluvial and residual soils, weathered granite, and granite-derived clays. Large granite boulders, some up to 3m in diameter, were encountered within the upper slopes. A kaolinite rich, highly plastic clay layer of low shear strength was observed in parts of the Site, particularly near the natural slope breaks.

Groundwater seepage and perched water tables were observed at varying depths during fieldwork, particularly along the eastern and southeastern boundaries where spring activity was noted.

The Site is mapped as comprising Class 5 acid sulfate soils and is within approximately 300m of Class 2 acid sulfate soils, refer to **Figure 36**.

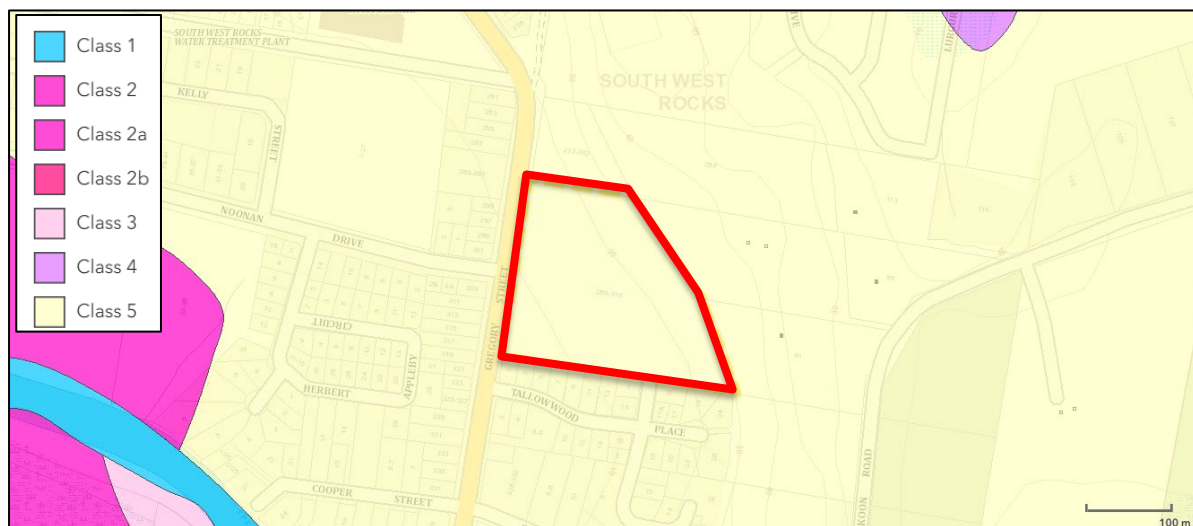


Figure 36. KLEP2013 Acid Sulfate Soils Map (Source: NSW Legislation, 2025)

6.1.12.2 Assessment of Impacts

The Proposal involves bulk earthworks which will alter existing ground conditions and involve excavation through a variety of geological materials, including residual soils, colluvium, saprolite, and weathered granite. Subsurface conditions vary significantly across the Site, with localised zones of high-strength granite boulders, weak kaolinite-rich clays, and groundwater-bearing layers identified through fieldwork.

Key geotechnical impacts identified include:

- Excavation challenges associated with large, high-strength granite boulders observed across the mid to upper slopes. These features are likely to reduce excavation efficiency and may necessitate specialised removal techniques such as rock breaking or chemical expansion methods.
- Stability risks in areas where deep cuts may intersect the kaolinite-rich clay layers identified in boreholes BH1 and BH5. These soils exhibit high moisture sensitivity and low shear strength,



increasing the likelihood of excavation face sloughing, heave, or shallow rotational failures if not appropriately supported.

- Groundwater-related impacts, particularly in the central and eastern portions of the Site where seepage, spring activity, and perched water tables were observed. The presence of groundwater within Unit 4B (extremely weathered, kaolinite-rich granite) may contribute to increased pore water pressures, requiring consideration in the design of retaining walls, drainage systems, and foundations.

Slope stability modelling undertaken identified a range of potential failure modes, including localised wedge failures and deeper seated rotational slides. Risks were generally classified as low to moderate, provided appropriate excavation staging and ground support measures are implemented. However, elevated risk exists where temporary cuts or permanent structures interact with groundwater-bearing soils or the kaolinite-rich clay layer, particularly under wet conditions.

The Geotechnical Assessment highlights that groundwater levels are likely to fluctuate seasonally. This presents a potential risk for both temporary excavation stability and long-term structural design.

6.1.12.3 Management and/or Mitigation Measures

To support detailed design and risk management, the Geotechnical Assessment recommends that further groundwater monitoring, including the installation of piezometers and ongoing water level observations, be undertaken prior to construction certificate to characterise seasonal groundwater fluctuations and inform the design of permanent subgrade or water-sensitive structures.

The Geotechnical Assessment makes the following recommendations for the Proposal:

- All excavation and earthworks must be carried out in accordance with the Excavation Work Code of Practice and supervised by a geotechnical engineer.
- Temporary support and battering must be used to manage excavation stability, particularly in areas with exposed kaolinite-rich clay or high groundwater levels.
- Where necessary, soldier pile or secant wall systems must be used to support deeper cuts, with drainage layers incorporated to relieve pore water pressure.
- Retaining structures must be designed with subsoil drainage, flushing points, and waterproofing as needed, and must be located clear of weak or highly plastic soils where feasible.
- Foundations must be designed to extend below the weaker upper soil horizons, with bored piers into weathered granite recommended where appropriate.
- Large granite boulders encountered during excavation must be managed using mechanical rock-breaking techniques or alternative non-blasting methods.
- Dilapidation surveys must be conducted on adjoining properties and infrastructure prior to works commencing, and vibration monitoring may be employed if rock-breaking is required.
- A Construction Environmental Management Plan must be prepared prior to the commencement of works to ensure appropriate control of geotechnical and groundwater risks.

Recommended Site soil parameters for retaining wall design are provided at **Appendix 14**. The Proposal will be undertaken in accordance with the recommendations made within the Geotechnical Assessment and these measures are included in **Appendix D** of this EIS.

6.1.13 Contamination and Remediation

This section provides a detailed assessment of the Proposal in accordance with Item 13 (Contamination and Remediation) of the SEARs. A Preliminary Site Investigation (PSI) has been prepared by Hunter Geotechnical Services (HGS) and is provided at **Appendix 15** of this EIS.

The fieldwork involved a general site walkover, observations of surrounding features, excavation of six (6) test pits to 4.3m, drilling of five (5) boreholes to 8m, and installation of a groundwater well. The



investigations identified Colluvial Clay/Sand, Residual Saprolite/Clay, and Granite within the Site. No contamination or asbestos-containing materials (ACM) were detected.

Based on these findings, HGS deems the Site suitable for the proposed residential development and that a Detailed Site Investigation (DSI) is not required.

6.1.14 Trees and Landscaping

This section provides a detailed assessment of the Proposal in accordance with Item 14 (Trees and Landscaping) of the SEARs. An Arboricultural Impact Assessment (AIA) has been prepared by King + Campbell and is provided at **Appendix 16** of this EIS.

6.1.14.1 Existing Environment

Vegetation clearing has recently occurred at the Site in accordance with Development Approval T6-14-333. As a result, the Site is now largely cleared, except for two *Eucalyptus microcorys* (Tallowwood) trees, identified as T01 and T02, located within the southern portion of the Site. Refer to **Figure 37**.



Figure 37. T01 & T02 observed at Site Visit on 09/09/2024 (Source: King + Campbell, 2025)

T01 is a mature tree of average vigour and form, exhibiting root wounds likely caused by mechanical damage. The canopy contains large deadwood (up to 150mm diameter), and an arboreal termite nest was observed at a major branch junction approximately 8m above ground. The associated branch is overextended to the west of the trunk.

T02 is also mature, with average vigour but poor form. It presents significant basal wounds, a clustered branch structure with included unions, and evidence of structural weakness, including reaction wood and hollowing in the central trunk. Termite damage and tracking were also observed.

King + Campbell undertook a site inspection on 9 December 2024. Following this, surrounding trees near T01 and T02 were removed under Development Approval T6-14-333. This has increased the exposure of T01 and T02 to wind forces, particularly from the southwest, potentially elevating the risk of major limb or whole-tree failure.



This area of the Site will incorporate substantial landscaping that will integrate into the existing landscaping within the wider Scenic Protection Land to the east.

6.1.14.2 Assessment of Impacts

Extensive cut and fill works are required to facilitate the Proposal. Bulk earthworks will result in approximately 1m to 2m of fill being placed over the root plates and around the trunks of the two (2) existing trees within the Site. This will significantly impact gaseous exchange between the soil and air, leading to large-scale root loss due to unfavourable soil conditions. Additionally, the placement of soil around the trunks may create conditions conducive to decay-causing fungi, compromising structural stability over time.

Both trees are in proximity to a proposed access road and dwelling site. Given their position and the extent of the proposed works, their removal is necessary to facilitate the Proposal. Furthermore, both trees exhibit potential structural defects that may make them vulnerable to limb failure or total collapse once the surrounding canopy is cleared.

6.1.14.3 Management and/or Mitigation Measures

A comprehensive landscaping strategy is proposed to integrate the Proposal with its surroundings, enhance visual appeal, and provide shade, privacy, and amenity for residents as well as enhancing the ecology of the Site.

A total of 196 trees are proposed to be planted throughout the Site, all of which would be native species.

At the entry road, a shaded pedestrian access path lined with large canopy trees will create an inviting arrival experience. Medium sized street trees will be planted along the western verge of the access roads to provide shade in the afternoon, reducing the heat island effect, and improve streetscape cohesion.

A central park featuring large shade trees will offer a communal green space for social interaction and outdoor recreation.

On the lower retained terrace, small trees and low understorey planting will help soften the visual impact of retaining walls while improving the Site's overall aesthetic and amenity. Additional screen planting along the lower retained terrace will further reduce the prominence of these walls, ensuring a seamless integration with the natural landscape.

To maintain privacy and amenity for neighbouring residential dwellings, a 2.4m high screen planting will be introduced along the southern boundary, creating a visual buffer while enhancing the overall landscape quality.

6.1.15 Ecologically Sustainable Development (ESD)

6.1.15.1 Assessment of Impacts

This section provides a detailed assessment of the Proposal in accordance with Item 15 (ESD) of the SEARs. The principles of ESD as outlined in Clause 193 of the EP&A Regulation have been carefully considered in **Section 7.1.5** of this EIS.

The Proposal does not meet the definition of BASIX development. The proposed built form does not constitute a BASIX building, as it does not include any dwellings. Furthermore, while a swimming pool is proposed, it is intended to service all 101 future dwellings, not a single dwelling, and therefore does not trigger BASIX requirements.



Notwithstanding the above, a Section J Report (**Appendix 10**) has been prepared, which confirms that the Proposal complies with the relevant NCC requirements in terms of thermal performance specifically regarding the proposed clubhouse. The Section J Report specifically assesses the clubhouse against the following NCC 2022 Section J Deemed-to-Satisfy requirements:

- Part J4 Building Fabric
- Part J5 Building Sealing

For Part J4, this includes ensuring that the proposed glazing and solid construction elements (floors, walls, ceilings and roofs) meet or exceed the minimum thermal performances.

For Part J5, this includes ensuring that the building envelope is appropriately sealing to manage the loss of conditioned air from the building. The following building envelope elements shall be appropriately sealed:

- Chimneys and Flues
- Roof Light
- Windows and Doors
- Exhaust Fans
- Ceiling, Walls, Floors
- Evaporative Coolers

As noted above, the Section J Report demonstrates that the Proposal will meet or exceed the minimum requirements.

6.1.15.2 Management and/or Mitigation Measures

The Proposal shall be built and maintained in accordance with the Section J Report.

6.1.16 Biodiversity

This section provides a detailed assessment of the Proposal in accordance with Item 16 (Biodiversity) of the SEARs. A BDAR Waiver has been determined for the Proposal and is provided at (refer to **Appendix 11, Appendix 28** and **Appendix 29**).

6.1.16.1 Existing Environment

Under the KDCP2013, the two (2) affected *Eucalyptus microcorys* (Tallowwood) trees meet the definition of Preferred Koala Food Trees. However, these trees are located outside the mapped Potential Koala Habitat (refer to **Figure 38**) and therefore their removal does not trigger offset requirements under the Kempsey CKPoM. Additionally, no evidence of Koala activity was observed on these trees. Further, the Site is disturbed from land clearing and excavations under the previous development consent (Ref: T6-14-333) and has result in some modification of the soil profile.



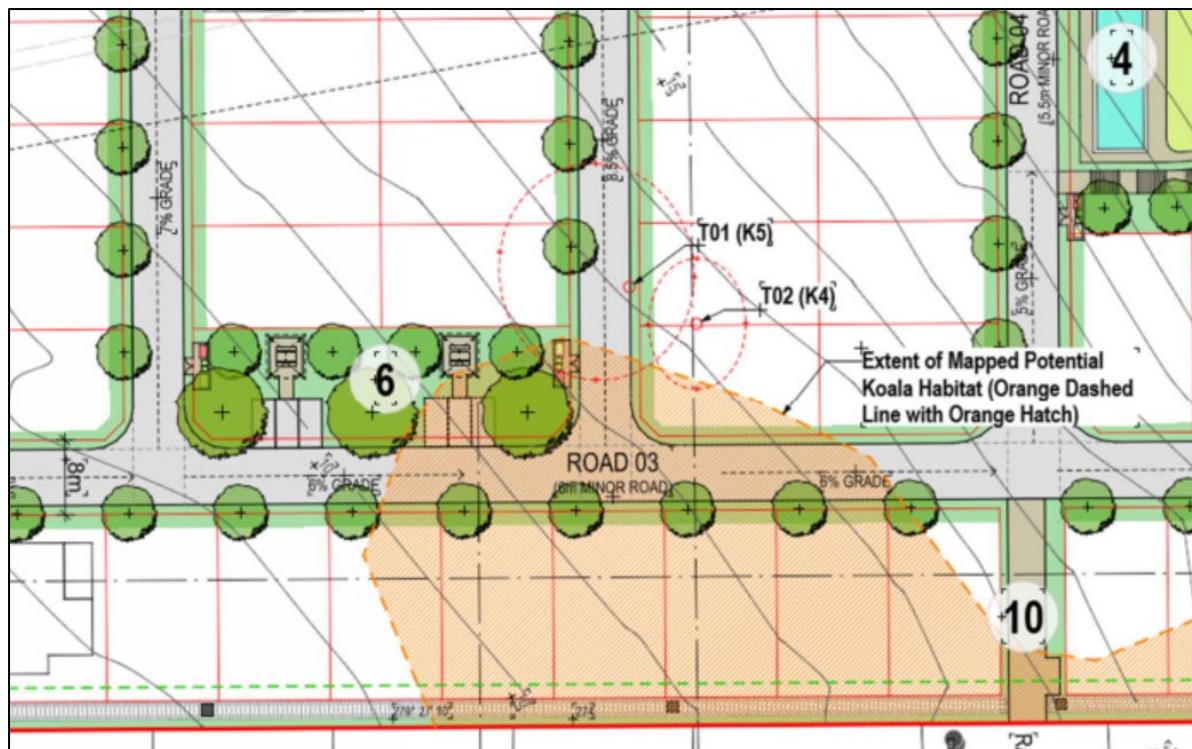


Figure 38. Potential Koala Habitat Mapping (Source: JB Enviro, 2025)

6.1.16.2 Assessment of Impacts

The requirement for removal of these trees is based on both ecological and engineering constraints. Their retention is impractical due to the required earthworks, which would undermine the trees long-term stability and viability. While Tallowwood is a primary preferred Koala food tree in the Kempsey LGA, no evidence suggests that these trees form part of a Koala's home range. Furthermore, their removal may reduce the likelihood of Koalas entering an area where threats such as vehicle strikes and dog attacks are heightened due to existing barriers such as fencing.

The BDAR Waiver concludes that the Site has been largely cleared by previous landowners, with recent approvals further diminishing the Site's ecological value. No significant habitat features, such as hollow-bearing trees, remain, and the two (2) Tallowwoods are isolated from nearby forested areas by cleared land. No threatened flora or fauna species were recorded on the Site, and only highly mobile threatened species were considered to have low potential to use the area as a marginal extension of their range.

While the proposed tree removal will contribute incrementally to habitat loss in South West Rocks, it is unlikely to have a significant impact on local threatened species populations. Given the absence of critical breeding or connectivity areas, the presence of alternative habitat, and the ecological characteristics of the affected species, the BDAR Waiver has concluded the Proposal is not expected to compromise the viability of any local populations. The BDAR Waiver has been approved by DPHI (refer to **Appendix 11**, **Appendix 28** and **Appendix 29**).

6.1.16.3 Management and/or Mitigation Measures

Overall, the Proposal will result in limited impacts on biodiversity within and in proximity to the Site. Additionally, the Proposal includes 196 new trees, which would all be native species. All new planting would also be native species. Using native species for trees and planting will help support the ecology and biodiversity of the area.



6.1.17 Waste Management

This section provides a detailed assessment of the Proposal in accordance with Item 17 (Waste Management) of the SEARs.

6.1.17.1 Assessment of Impacts

Construction Waste

A Construction and Demolition Waste Management Plan (CDWMP) has been prepared by Elephants Foot Consulting and is provided at **Appendix 25** of this EIS. The CDWMP identifies that the Construction Contractor will be responsible for implementing the CDWMP.

The CDWMP identifies the level of demolition and construction waste, including both the conversion and management of these two waste streams. These are shown in **Figure 39**, **Figure 40**, **Figure 41** and **Figure 42**.

Material	Volume (m3)	*Tonnes (t)	**Appx. Percentage Recovered
Excavation Material	5000	5000	99.8%
Green waste	59	8.9	80%
Other waste	41.7	12.5	50%
Totals	5100.7	5021.4	

Figure 39. Demolition Waste Conversion (Source: Elephants Foot Consulting, 2025)

			How Waste will be Managed			
Type of Material	Less than 10m³	Estimated Tonnage	Reuse On-Site	Recycle	Landfill	Estimated Tonnage of Material Diverted from Landfill
Excavation Material	☐	5000	☒	☒	☒	4987.5
Green Waste	☐	8.9	☒	☒	☒	7.1
Other Waste	☐	12.5	☒	☒	☒	3.8
Total		5021.4	Total			4998.3
Total Diversion of Waste from Landfill (Minimum 80%)						99.5

Figure 40. Demolition Waste Management (Source: Elephants Foot Consulting, 2025)



Material	Volume (m3)	*Tonnes (t)	**Approx. Percentage Recovered
Green waste	2	0.3	80%
Bricks	164.8	197.8	100%
Tiles	14.3	14.3	100%
Concrete	1879.7	2819.6	100%
Timber	20.7	3.9	33%
Plasterboard	73.2	14.6	50%
Metals	72.2	36.1	100%
Other waste	300	90	50%
Totals	2526.9	3176.6	

Figure 41. Construction Waste Conversion (Source: Elephants Foot Consulting, 2025)

			How Waste will be Managed			
Type of Material	Less than 10m³	Estimated Tonnage	Reuse On-Site	Recycle	Landfill	Estimated Tonnage of Material Diverted from Landfill
Green Waste	☒	0.3	☒	☒	☒	0.2
Bricks	☐	197.8	☒	☒	☐	197.8
Tiles	☐	14.3	☐	☒	☐	14.3
Concrete	☐	2819.6	☒	☒	☐	2819.6
Timber	☒	3.9	☐	☒	☒	1.3
Plasterboard	☐	14.6	☐	☒	☒	7.3
Metals	☐	36.1	☐	☒	☐	36.1
Other	☐	90	☒	☒	☒	27
Total		3176.6	Total			3103.5
Total Diversion of Waste from Landfill (Minimum 80%)						97.7

Figure 42. Construction Waste Management (Source: Elephants Foot Consulting, 2025)

Operational Waste

An Operational Waste Management Plan (OWMP) has been prepared by Elephants Foot Consulting and is provided at **Appendix 17** of this EIS. The OWMP identifies that the operation of the Proposal is



expected to generate approximately 8,080 litres of general waste, 4,040 litres of recycling, and 2,525 litres of Food Organics and Garden Organics (FOGO) per week.

Waste will be collected by a private contractor, with a combination of bulk bins and wheelie bins stored in designated communal bin areas. Residents will be responsible for transporting their waste to these communal locations (identified in **Figure 13**) and placing materials into the appropriate bins.

The largest anticipated refuse collection vehicle, a rear load truck approximately 10.5m in length, will access the Site via Gregory Street. The TIA confirms that the anticipated waste collection vehicles can appropriately navigate the Site layout. Refer to **Appendix 8** of this EIS.

6.1.17.2 Management and/or Mitigation Measures

Construction Waste

The CDWMP also recommends that where possible, an Environmental Management Representative (EMR) should also be appointed for the Proposal to help ensure compliance.

The CDWMP also recommends monitoring and reporting is undertaken prior to and during the construction phase of the Proposal.

The CDWMP outlines procedures necessary if any hazardous waste materials (including any waste that poses a hazard or potential harm to human health or the environment) are found during the construction phase as well as for the management of excavation waste (i.e. soil and rock).

The private contractor will be responsible for implementing site specific operational measures including training, waste avoidance opportunities, Site procedures requirements for on-site waste management facilities and safety and signage.

Operational Waste

The following waste management measures are proposed to ensure effective and responsible waste handling during the operation of the Proposal:

- General Waste: 10 × 660L bins, collected twice weekly
- Recycling: 10 × 660L bins, collected once weekly
- FOGO: 20 × 240L bins, collected once weekly

The Operator will be responsible for monitoring the capacity of bins and arranging for additional servicing as required to avoid overflow, odour or vermin issues.

To encourage appropriate disposal practices, community facilities will be equipped with clearly branded source separation receptacles in accessible locations. The operator will also manage the transfer of waste from internal facilities to the central collection bins.

6.1.18 Social Impact

This section provides a detailed assessment of the Proposal in accordance with Item 18 (Social Impact) of the SEARs. Item 18 (Social Impact) of the industry-specific SEARs set out the following requirements in relation to Social Impact – ‘if required’:

The EIS must consider social impacts and, should any significant social impacts be identified, a Social Impact Assessment must be prepared in accordance with the *Social Impact Assessment Guideline for State Significant Projects*.



It is understood the revised requirements for a Social Impact Assessment (SIA) from 'mandatory' to 'if required' is to help streamline pathways for the assessment of housing in response to housing pressures and the National Housing Accord.

The inclusion of social impacts as part of the Engagement Outcomes and Social Impact Assessment (EOSIA) provides efficiencies due to the shared baseline information that informs engagement activities whilst addressing separate requirements for engagement and social impact assessment.

6.1.18.1 Assessment of Impacts

The SIA was prepared as part of the EOSIA provided at **Appendix 22** and determined that there will be a mainly medium residual significance for both positive and negative outcomes. The positive outcomes will realise the delivery of housing to deliver a greater diversity and supply of well-located housing, especially for the over 50's, in South West Rocks.

6.1.18.2 Management and/or Mitigation Measures

In relation to the potential negative residual impacts, these are considered acceptable subject to a range of Site specific and broader considerations. At a Site level, these include ensuring the technical studies recommended approaches be implemented, including:

- Construction Traffic Management Plan and/or Construction Environmental Management Plan;
- Design Report and Landscape Plan; and
- Traffic Impact Assessment.

The potential for negative outcomes at the cumulative level arises from the concurrent delivery of housing in the wider town and the impacts of the increased population on essential services and infrastructure. This cumulative impact is well recognised by Council and the Growth Management Strategy and Structure Plan together provide a framework for addressing these. However, it is noted that funding for improved community services and facilities is balanced with competing demands such as responding to natural disasters in the LGA, such as the recent major flood event that impacted Kempsey town centre and smaller towns in flood prone areas of the catchment.

Recommendations within the EOSIA have been included in the Mitigation Measures Table provided at **Appendix D**.

6.1.19 Flood Risk

This section provides a detailed assessment of the Proposal in accordance with Item 19 (Flood Risk) of the SEARs.

The Site is not mapped as Flood Prone Land. Refer to **Figure 43**. During a flood event, access and egress to and from the Site to the South West Rocks town centre remains unaffected. This is as the section of Gregory Street located to the north of the Site is elevated above the Flood Planning Level, ensuring that it remains passable and usable for vehicular and pedestrian movement, even under adverse flood conditions. This provides a reliable means of access during flood events, contributing to the overall resilience of the Site's connectivity with the surrounding area.



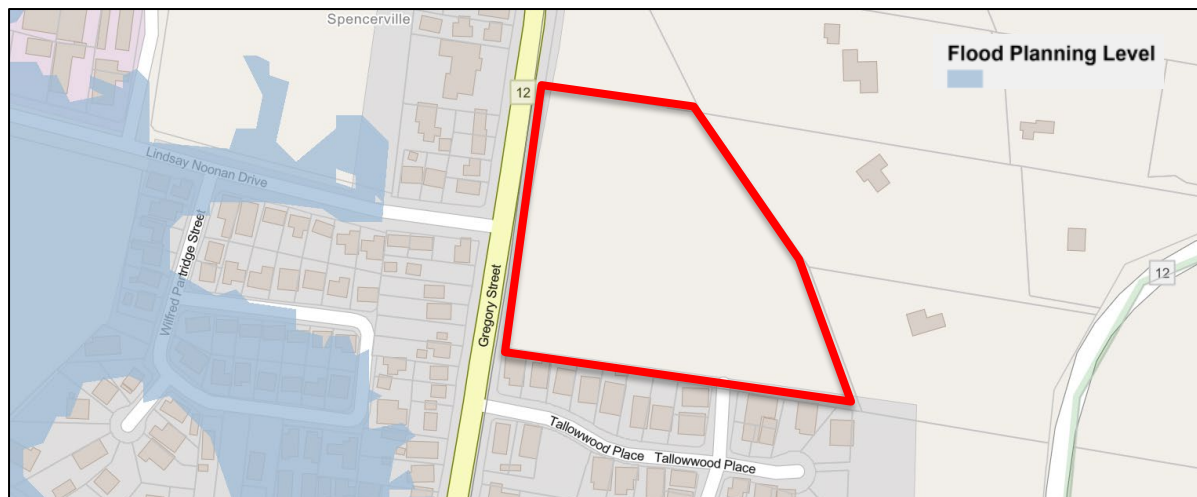


Figure 43. Flood Mapping (Source: Kempsey Shire Council, 2025)

6.1.20 Bush Fire Risk

This section provides a detailed assessment of the Proposal in accordance with Item 20 (Bush Fire Risk) of the SEARs.

The Site is mapped as Bushfire Prone Land comprising Vegetation Category 1 and Vegetation Buffer, as shown in **Figure 44** below.

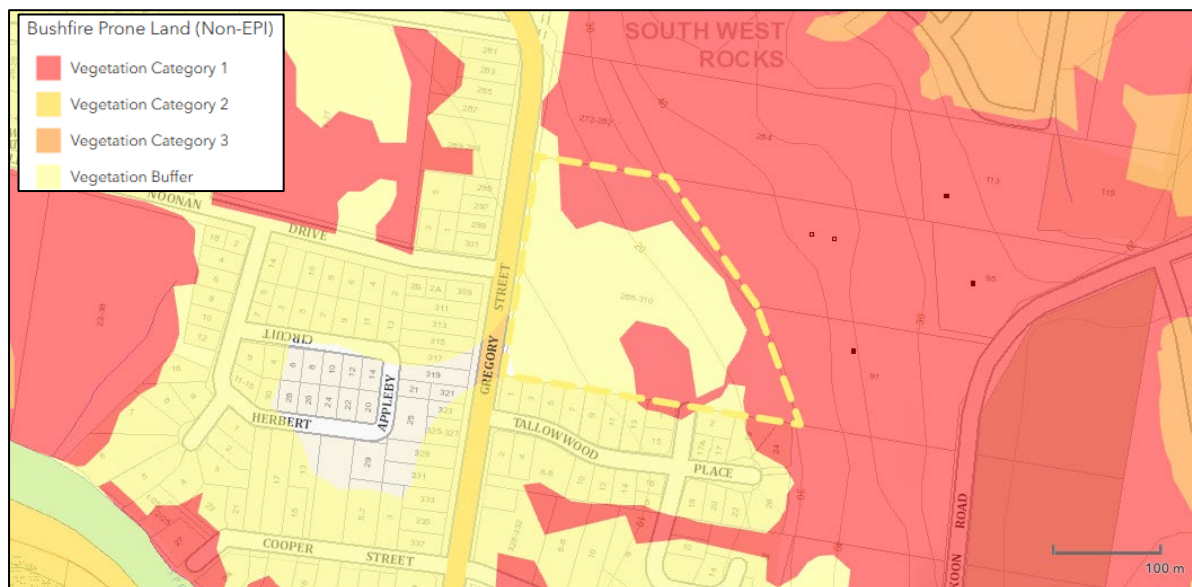


Figure 44. Bushfire Prone Land Mapping (Source: ePlanning Spatial Viewer, 2025)

A Bushfire Assessment Report (BAR) has been prepared by Bushfire Building Solutions and is provided at **Appendix 21** of the EIS.

6.1.20.1 Assessment of Impacts

Development for the purpose of multi dwelling housing is not for a Special Fire Protection Purpose.

The Proposal has been assessed in accordance with the requirements of the RF Regulation and *Planning for Bushfire Protection 2019* (PBP). The assessment undertaken confirms that the Proposal complies with Clause 45 of the RF Regulation and the provisions of PBP.

The prescribed Asset Protection Zone (APZ) is identified on the Architectural Drawings at **Appendix 4** and the Landscape and Civil Plans at **Appendix 9**. The proposed clubhouse is not located within the APZ and tree planting within this area is proposed in accordance with the recommendations of the BAR.

The BAR has concluded that the Proposal meets the required standards to protect persons and property from potential bushfire hazards.

6.1.20.2 Management and/or Mitigation Measures

Specific recommendations to ensure compliance with PBP are as follows:

- Each dwelling site must be maintained in perpetuity as an inner protection area in accordance with the requirements detailed in Attachment Two of the BAR and Appendix Four of PBP.
- All undeveloped areas of open space across the Site shall be maintained as an inner protection area.
- BAL construction requirements for each building must comply with Table A1.12.6, AS3959-2018, and Section 7.5 of PBP.
- Road crossfall does not exceed 3 degrees.
- Traffic management devices are constructed to not prohibit access by emergency services vehicles.
- Roll top kerbing should be used to the hazard side of the road.
- The capacity of road surfaces must be sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes).
- Hydrants must be located outside of road carriageways.
- Fire hydrant spacing, design and sizing comply with AS 2419.1 – 2021.
- Hydrants are not located within any road carriageway.
- All above ground water pipes external to the building are metal, including and up to any taps.
- Bottled gas is installed and maintained in accordance with AS1596 and the requirements of relevant authorities. Connections to and from gas cylinders are metal.
- If gas cylinders need to be kept close to the building/s, the release valves are directed away from the building/s and at least 2m away from any combustible material, so that they do not act as a catalyst to combustion.
- A Bushfire Emergency Management and Evacuation Plan must be in accordance with the Rural Fire Service *Guidelines for the Preparation of Emergency/Evacuation Plan*. This would be secured as a condition of consent.

The Proponent plans to undertake the construction and operation of the Proposal, in accordance with the abovementioned management and mitigation measures and these are included within **Appendix D** of this EIS.

6.1.21 Aboriginal Cultural Heritage

This section provides a detailed assessment of the Proposal in accordance with Item 21 (Aboriginal Cultural Heritage) of the SEARs.

An Aboriginal Heritage Due Diligence Assessment (AHDDA) has been prepared by Heritage Now Pty Ltd and is provided at **Appendix 18** of this EIS.

6.1.21.1 Existing Environment

No registered Aboriginal Heritage Information Management System (AHIMS) sites are located within 200m of the Site. However, two burial sites containing midden and artefacts (AHIMS 22-4-0048 and AHIMS 22-4-0095) are registered approximately 300m to the west. Refer to **Figure 45**.



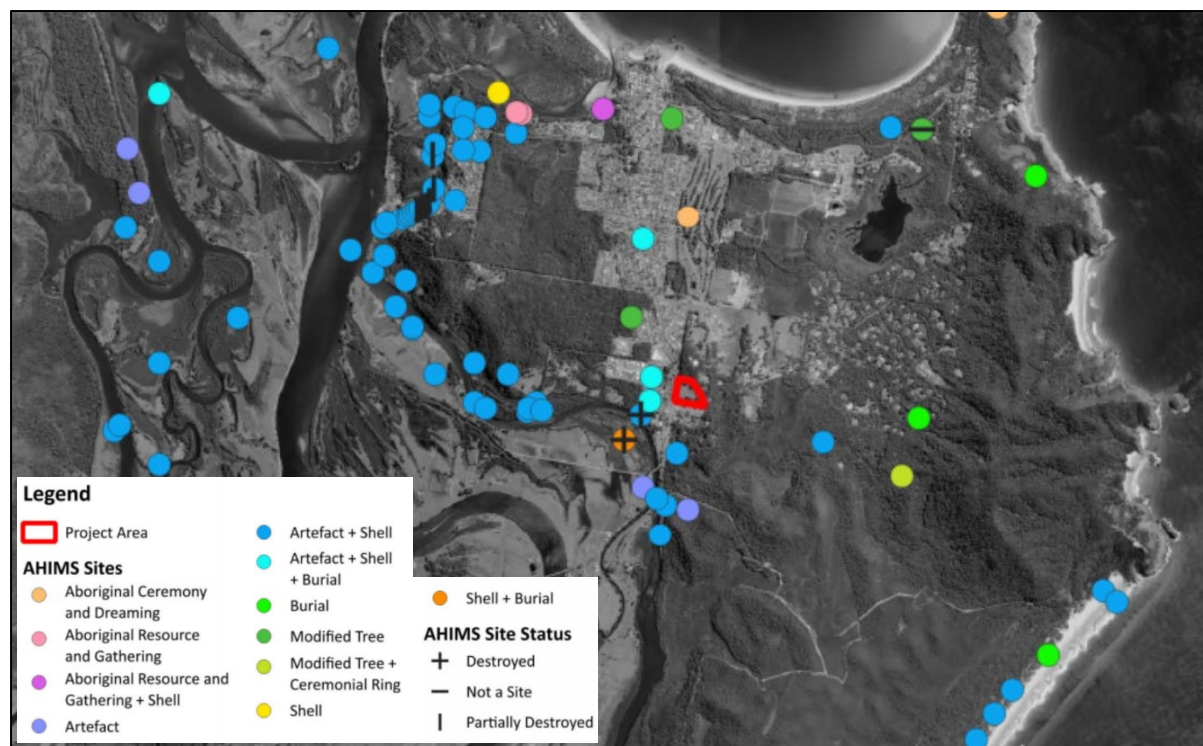


Figure 45. AHIMS Sites Mapping (Source: Heritage Now Pty Ltd, 2025)

The visual inspection of the Site identified that vegetation clearance and erosion have impacted the Site, reducing the likelihood of Aboriginal objects being present. No Aboriginal objects or potential archaeological deposits (PADs) were identified, and no impacts to Aboriginal heritage are proposed. Furthermore, an inspection of the Site was undertaken by Kempsey Local Aboriginal Land Council in 2014 that also identified no Aboriginal heritage constraints, based on the level of disturbance.

6.1.21.2 Management and/or Mitigation Measures

The Proposal shall be carried out in accordance with the Aboriginal Heritage Due Diligence Assessment.

6.1.22 Environmental Heritage

This section provides a detailed assessment of the Proposal in accordance with Item 22 (Environmental Heritage) of the SEARs.

The Site is not mapped as comprising any heritage items or within a heritage conservation area. The Site is located 1.1km west of the nearest heritage item (see **Figure 46** below) ensuring the Proposal would not have any impact on any heritage items.

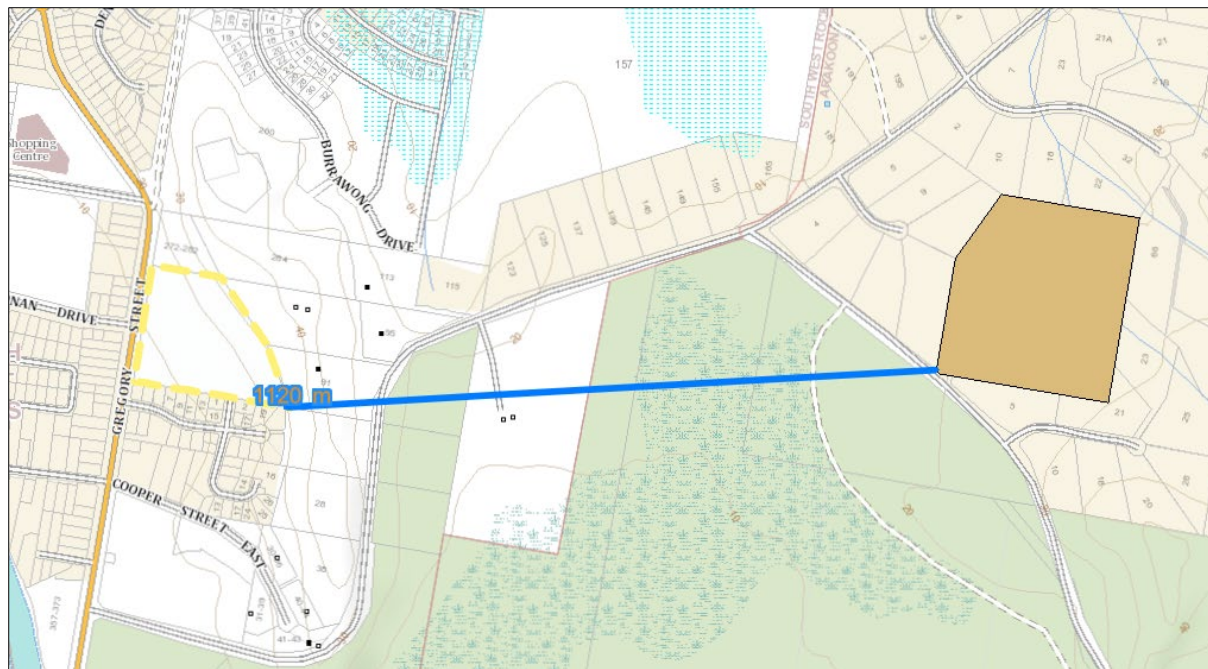


Figure 46. Surrounding Heritage (Source: NSW Spatial Viewer, 2025)

As such a Heritage Impact Assessment and Archaeological Assessment are not required.

6.1.23 Public Space

This section provides an assessment of the Proposal in accordance with Item 23 (Public Space) of the SEARs.

The Proposal does not alter any public space and therefore no further consideration is required.

6.1.24 Hazards and Risks

This section provides a detailed assessment of the Proposal in accordance with Item 24 (Hazards and Risks) of the SEARs.

The Proposal is not affected by above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of the Proposal's location.

6.1.25 Local Government Regulation Compliance

The Proposal meets all the requirements set out in the LLC Act and the LG Regs for a Land Lease Community Estate. For a further assessment, refer to **TABLE 10**.

6.1.26 Services

The Proposal will be appropriately serviced by potable water, sewer, stormwater, electricity and telecommunications. The Services Plan at **Figure 16** identifies the proposed alignment of this potable water, sewer and stormwater infrastructure. The Electricity Reticulation Plan at **Appendix 20** details the electricity infrastructure upgrade works involving installation of a substation and undergrounding of powerlines as well as conduits for connections to each of the dwelling sites.

6.2 CUMULATIVE ASSESSMENT

6.2.1 Cumulative Visual Analysis

The Site has been assessed based on the character and context in which it is currently located. It has been concluded that the significance of the impact upon the surrounding landscape by the Proposal is acceptable. This is in part due to the character of the surrounding development, existing and proposed landscaping and the design and layout of the Proposal.

6.2.2 Cumulative Traffic Analysis

Increased demand on roads, public transport, schools, healthcare, and utilities may require upgrades to ensure the area remains liveable. However, increased population may support the delivery of more services to the local area bring benefits to the existing community. Aligning infrastructure provision with growth has seen the provision of a new substation as part of the Proposal.

Ultimately, it is considered that the road network will be able to cater for the traffic from the Proposal and other approved and future development, without significant impacts.

6.2.3 Cumulative Noise and Vibration Analysis

Subject to the mitigation measures detailed in **Appendix D** of this EIS, it is considered that the Proposal will not result in any unreasonable noise impacts (both during the construction and operational phases) at the relevant surrounding receivers, including when factoring in other nearby developments.

6.2.4 Cumulative Social Analysis

Identified negative social impacts of the Proposal can be reasonably mitigated or managed to reduce their significance.

6.3 PLANNED MANAGEMENT AND MITIGATION MEASURES

The Proponent plans to undertake the construction and operation of the Proposal in accordance with the planned management and mitigation measures outlined within **Appendix D** of this EIS.



PART 7 JUSTIFICATION OF THE PROPOSAL

7.1 JUSTIFICATION

The Proposal is justified on environmental, social and economic grounds and is compatible with the locality in which it is proposed. The Proposal would enhance the Site from an otherwise vacant landholding to a productive employment generating facility.

This EIS is submitted on the following basis.

7.1.1 Supports State, Regional and Local Planning Objectives

The Proposal is consistent with the strategic vision and objectives of the *North Coast Regional Plan 2041* (Regional Plan), the *Future Macleay – Growth & Character Local Strategic Planning Statement 2020-2040* (LSPS), and the KLEP2013. These policies collectively aim to deliver well-located housing, support ageing communities, and guide sustainable development within the Kempsey Shire.

The Proposal supports Objective 1 and Objective 2 of the Regional Plan by delivering affordable housing for the over-55s in a well-connected location, near established services and transport. It also responds to the LSPS by addressing projected demographic changes within the Shire, including the growing proportion of lone person and couple-only households, and the increasing need for housing diversity.

The development is situated within a residential zoned area and contributes to the managed growth of South West Rocks in a manner consistent with strategic planning priorities around housing supply, affordability, and neighbourhood character.

7.1.2 Demonstrates an Appropriate Use of a Permissible Development

The Proposal would comprise 101 detached dwellings on one (1) lot of land and therefore meets the definition of multi dwelling housing under the KLEP2013.

The detached dwellings intended to be installed within each of the dwelling sites would be in the form of relocatable/manufactured homes. As contemplated by the NSW Land and Environment Court in *TMT Devco Pty Ltd v Cessnock City Council [2008] NSWLEC 211*, a Manufactured Housing Estate (MHE) may be characterised as a form of multi dwelling housing. Thereby, confirming the permissibility of the Proposal at the Site.

The Proposal represents an appropriate use of land zoned R1 General Residential and R3 Medium Density Residential, consistent with the zoning intent and land use permissibility under the KLEP2013. Multi dwelling housing is a permissible residential land use within these zones and directly responds to the growing demand for smaller, more affordable housing typologies suited to the over-55s demographic.

The proposed medium density layout integrates well with the surrounding residential character while promoting housing diversity in an area well serviced by transport and local infrastructure. The development offers a practical and sustainable housing solution, providing a future built form outcome that aligns with the planning intent for the Site and broader strategic objectives for the locality.

7.1.3 Minimises Environmental Impacts

Specialist consultants have assessed the potential impacts of the Proposal, determining that it could be undertaken with minimal environmental impacts. The commissioned reports (listed in **Section 1.4**) have collectively concluded that no significant risk to the locality would result from the Proposal. Where impacts have been identified, these fully-developed strategies are set out in detail for management and mitigation. These measures are described in **Section 6.3** and **Appendix D** of this EIS.



7.1.4 Creates Compatibility with Surrounding Development

The Proposal is compatible with existing land uses on adjacent lands, all of which provide very similar residential functions. All are within the immediate vicinity of the Proposal. Detailed investigations undertaken, as part of this application, conclude that no significant environmental cumulative impacts, would occur from the proposed land lease community estate.

7.1.5 Delivers Ecologically Sustainable Development

The principles of ESD as outlined in Clause 193 of the EP&A Regulation have been carefully considered in the formulation of this Proposal and are addressed as follows:

7.1.5.1 Precautionary Principle

After careful assessment by both the project team and expert consultants, it is concluded that no unmanageable threat or irreversible damage to the environment, would result from the Proposal.

7.1.5.2 Inter-generational Equity

The project team and expert consultants have examined the overall effects of the Proposal, on both the natural environment and the existing built environment within the vicinity of the Site.

This detailed assessment has concluded that no unreasonable use of resources, affectation of environmental processes or prevention of the use of land for future generations would occur from the Proposal. The Proposal would improve the status of the Site and contribute to the economies of the region through both substantial investment and new employment, thereby improving the inter-generational equity.

7.1.5.3 Conservation of Biological Diversity and Ecological Integrity

The Proposal will result in the loss of two trees due to the substantial earthworks required. However, the Proposal will re-provide 196 new trees (all native) as well as 5,760m² canopy cover, a significant amount of landscaping (including native species), including deep soil. Overall, the Proposal will enhance the biodiversity and ecology of the Site.

7.1.5.4 Environmental Management

The Proposal implements significant and elaborate measures that avoid, contain and address any possible air quality, noise, waste and pollution impacts, through avoidance, better design and management. This is exemplified through the measures, which would be implemented throughout both the construction and operational phases of the Proposal, outlined within **PART 6** of this EIS.