

Accommodation size of each boarding room (excluding any areas used for the purposes of private kitchen or bathroom facilities) shall be a minimum of 12 square metres where it is intended to be used by a single lodger (rooms 6 and 7) and a minimum of 16 square metres in any other case. The maximum boarding room size for each room must not exceed 25 square metres.

(Reason: - to ensure minimum and maximum room sizes are achieved.))

5. Conditions which must be satisfied prior to the commencement of demolition of any building or structure

For: The Hon. Paul Stein AM QC (Chairperson), Larissa Ozog, David Ryan and Allan Ezzy AM APM.

Against: Nil.

Reasons for Decision:

1. The Panel generally agrees with the Planning Officers report but has amended some conditions. The Panel is of the view that the development is permissible in an R2 zone.
2. The Panel has taken into account the strength of the community views in opposition to the development but has come to the conclusion that the circumstances do not warrant a refusal.

ITEM LPP044/20 - PLANNING PROPOSAL FOR A SENIOR HOUSING DEVELOPMENT, CORNER DUNMORE STREET AND PENDLE WAY, PENDLE HILL

RESOLVED

1. That the Cumberland Local Planning Panel recommend that the Planning Proposal Request be reported to Council, seeking a resolution to forward a Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination subject to the following comments and considerations:
 - a. The Panel is of the view that the Council should consider an RE1 zoning rather than RE2. However, should the Council be of the view that RE2 is more appropriate the Panel would urge the Council to require an easement for public access to this part of the site and the heritage buildings. In addition the Panel is of the opinion that Dunmore House should be utilised as a community facility.
 - b. Given that the detailed, peer reviewed design analysis accompanying the PP responds to the site specific heritage and contextual conditions through a wide range of heights (generally between 4 and 8 storeys) across the site, it appears more appropriate to apply a range of heights in the LEP more reflective of this design approach, rather than a single height (reflecting the greatest identified height) across the whole

site. This would appear to be more consistent with the approach taken for the adjoining Bond site.

This is particularly the case given that the Panel was advised that it is intended that a site specific DCP will be prepared to accompany the PP and there should be consistency between the LEP and DCP height controls.

Any such differentiated height controls should also trigger a review of the FSR standard to ensure there are no internal inconsistencies between the height and FSR standards across the various parts of the site.

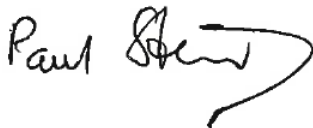
The Panel is also of the view that a height limit of 32m is in excess of what is required for an 8 storey building.

For: The Hon. Paul Stein AM QC (Chairperson), Larissa Ozog, David Ryan and Allan Ezzy AM APM.

Against: Nil.

The meeting terminated at 3:10p.m.

Signed:



Paul Stein AM QC
Chairperson

Item No: LPP044/20

**PLANNING PROPOSAL FOR A SENIOR HOUSING DEVELOPMENT, CORNER
DUNMORE STREET AND PENDLE WAY, PENDLE HILL**

Responsible Division: Environment & Planning
Officer: Executive Manager Development and Building
File Number: PP2020/0012

Lodged	24 April 2020	
Proponent	Keylan Consulting Pty Ltd on behalf of Fresh Hope Care	
Description of Land	Lots 1,2,8-12 DP 24728, Lot 2 and 3 DP 5545208, Lot A DP 335578, Lot 472 DP 1204429, Dunmore Street and Pendle Way, Pendle Hill	
Site Area	7.3 hectares	
Site Description and Existing use	Seniors housing development with a 190-bed Residential Aged Care Facility (RACF), 86 Independent Living Units (ILUs) a place of public worship (Pathways Community Church) and six single-storey residential dwellings.	
Proposal	Amendments to <i>Holroyd Local Environmental Plan 2013</i> to facilitate redevelopment of the site for a new and expanded seniors housing development with a 240-bed RACF facility, 650 residential ILUs and affordable key worker housing units, community facilities, allied health services and publicly accessible open space.	
Existing planning controls	Land zone	R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential
	Height of building	9 metres 11 metres
	Floor space ratio	0.5:1 0.7:1 0.85:1
	Schedule 1 additional permitted uses	Nil

Requested planning controls	Land zone	R4 High Density Residential RE2 Private Recreation
	Height of building	12.5 metres 32 metres
	Floor space ratio	0.85:1 1.5:1
	Schedule 1 additional permitted uses	Additional permitted uses under Schedule 1 of 'food and drink premises' and 'medical centre'

Recommended planning controls	Land zone	R4 High Density Residential RE2 Private Recreation
	Height of building	12.5 metres 32 metres
	Floor space ratio	0.85:1 1.5:1
	Schedule 1 additional permitted uses	Additional permitted uses under Schedule 1 to allow development for including 'food and drink premises' and 'medical centre' uses on R4 zoned land
Heritage	The site contains two local heritage items, <i>Dunmore House</i> and <i>Ashwood House</i> , both of which are proposed to be retained.	
Disclosure of political donations and gifts	Nil	
Previous considerations	Nil	

SUMMARY:

This report provides an overview of a Planning Proposal Request submitted to Council on 24 April 2020 for a 7.3Ha site on the corner of Dunmore Street and Pendle Way, Pendle Hill.

The proposal seeks to facilitate redevelopment of the site for a new and expanded seniors housing development with a greater mix of land uses including a residential aged care facility, independent living units, affordable key worker housing, community facilities, allied health services and publicly accessible open space. This will be achieved by amending the Holroyd LEP 2013 to:

- Rezone part of the site from R2 Low Density Residential and R3 Medium Density Residential to part R4 High Density Residential and part RE2 Private Recreation
- Amend the maximum height of buildings that apply to the site from 9 metres and 11 metres to 12.5 metres to 32 metres
- Amend the FSR controls that apply to the site from 0.5:1, 0.7:1 and 0.85:1 to 0.85:1 and 1.5:1
- Introduce a Schedule 1 amendment to permit 'food and drink premises' and 'medical centre'.

The status of the Planning Proposal is shown in Figure 1.



Figure 1: Status of the Planning Proposal

REPORT:

Site Location and Context

The site is located on the corner of Dunmore Street and Pendle Way, Pendle Hill. The site is rectangular in shape and comprises of ten lots, being Lots 1 and 2, 8-12 DP 24728, Lot 2 and 3 DP 5545208, Lot A DP 335578, Lot 472 DP 1204429, with a total area of 7.3Ha.

The site is currently occupied by an existing seniors housing development that is operated by Fresh Hope Care and comprises a Residential Aged Care facility with capacity for 190 residents, 86 Independent Living Units and a place of public worship (Pathways Community Church). There are six single-storey residential dwellings along Pendle Way that also form part of the site.

The site has a street frontage to Dunmore Street of approximately 330 metres and street frontage to Pendle Way of 220 metres. There are a number vehicular access points from Dunmore Street and Pendle Way into the site. A footpath provides pedestrian access from the bus stop on Pendle Way into the centre of the site.

The site has a fall of approximately 11.5m to the east along the north south axis, with the highest topographical point being at Dunmore House and the lowest point being at the corner of Dunmore Street and Pendle Way. There is also a fall to the Bonds Spinning Mills site.



Figure 2: The Site

Local Context

The site is located approximately 300 metres from the Pendle Hill local centre and train station. Surrounding development includes:

- A mix of low density residential dwellings and low rise 3 storey residential flat buildings on Pendle Way.
- Low rise 3 storey residential flat buildings on Dunmore Street.
- Low density residential dwellings on Collins Street and Rowley Street.
- The Bonds Spinning Mill site that adjoins the eastern boundary and comprises of industrial warehouse buildings; however, this will evolve into a high density residential living environment when redeveloped.

Regional Context

The site is located in the suburb of Pendle Hill which is 4.5 kilometres west of Parramatta CBD and 25 kilometres west of the Sydney CBD.

Wentworthville local centre and Wentworthville train station are located approximately 1.5 kilometres to the east. The Westmead Health and Education Precinct is located approximately 3 kilometres to the east.

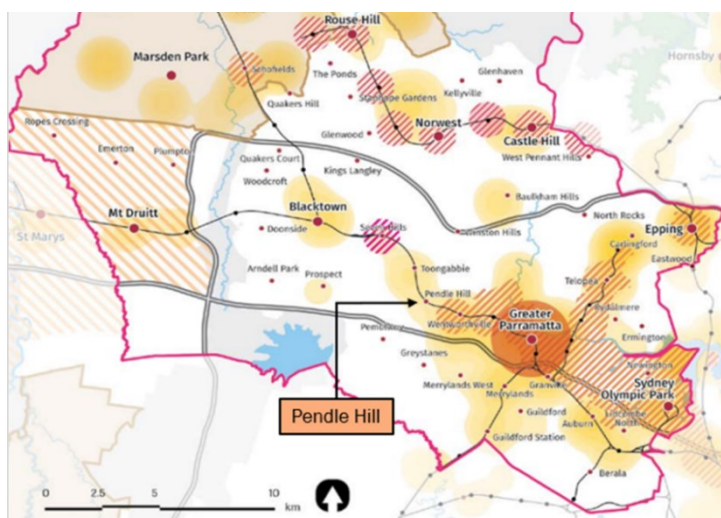


Figure 3: Regional Context

Current Planning Controls (Holroyd LEP 2013)

The site is zoned R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential, with maximum Height of Building controls of 9m and 11m and Floor Space Ratio controls of 0.5:1, 0.7:1 and 0.85:1 applying across the site. The site contains two local heritage items of Dunmore House (I94) and Ashwood House (I95). The adjoining Bonds Spinning Mills is identified as an archaeological site and includes a heritage item. These controls are shown graphically in Figures 4 to 7.

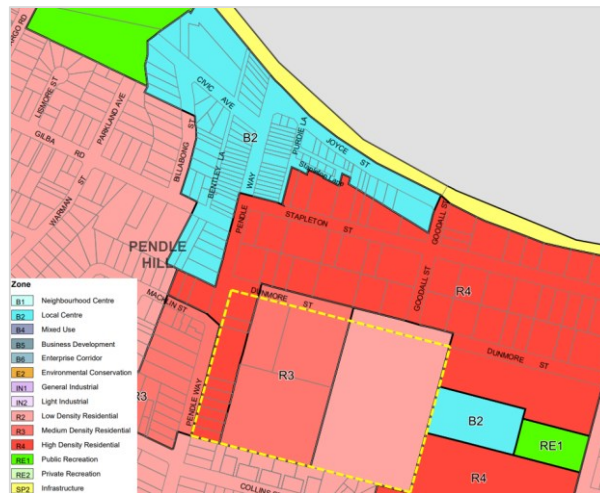


Figure 4: Current Land Use Zoning

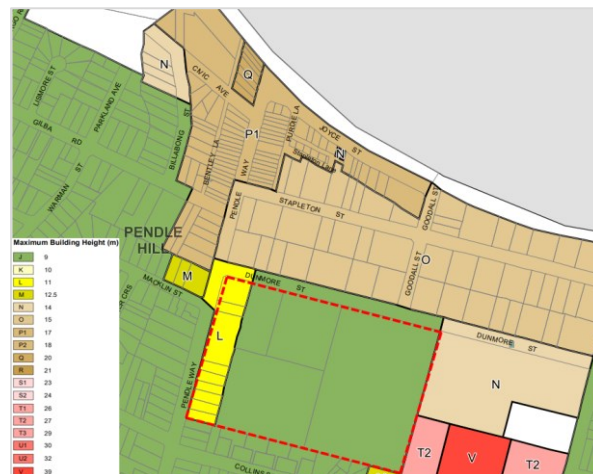


Figure 5: Current Height of Buildings

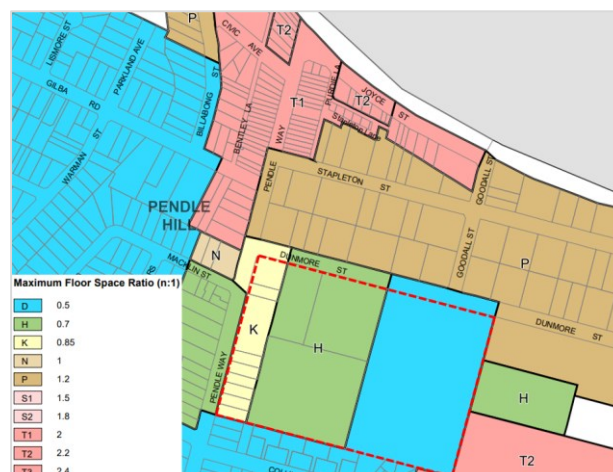


Figure 6: Current Floor Space Ratio

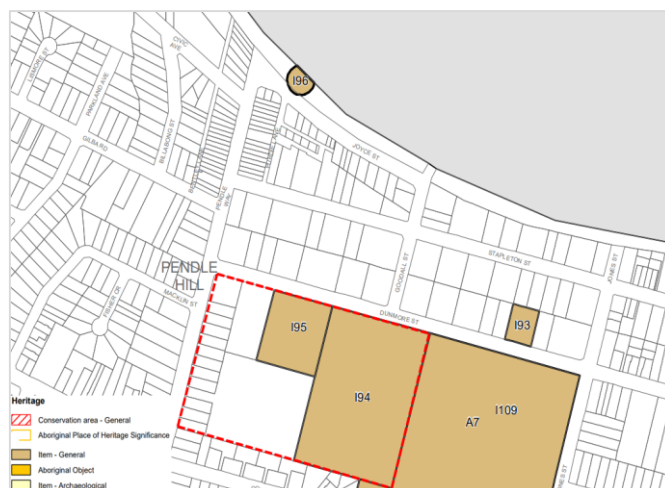


Figure 7: Current Heritage Items

Planning Proposal Request

The Planning Proposal seeks to amend the Holroyd LEP 2013 to:

- Rezone the site to R4 High Density Residential and RE2 Private Recreation
i)
- Amend the maximum height of buildings to 12.5 metres and 32 metres
ii)
- Amend the FSR controls to 0.85:1 and 1.5:1
iii)
- Introduce a Schedule 1 amendment to permit 'food and drink premises' and 'medical centre'

The changes to planning controls identified in the Planning Proposal Request is outlined in Figures 8 to 11.

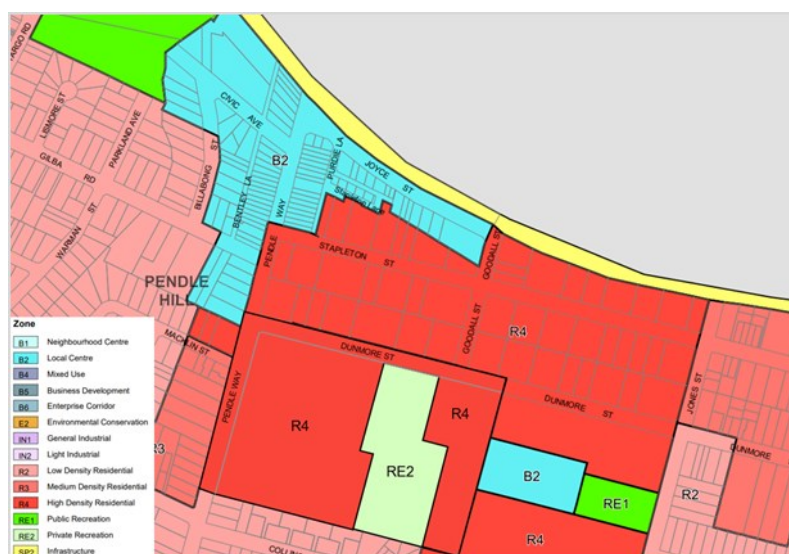


Figure 8: Proposed Land Use Zones in Planning Proposal Request

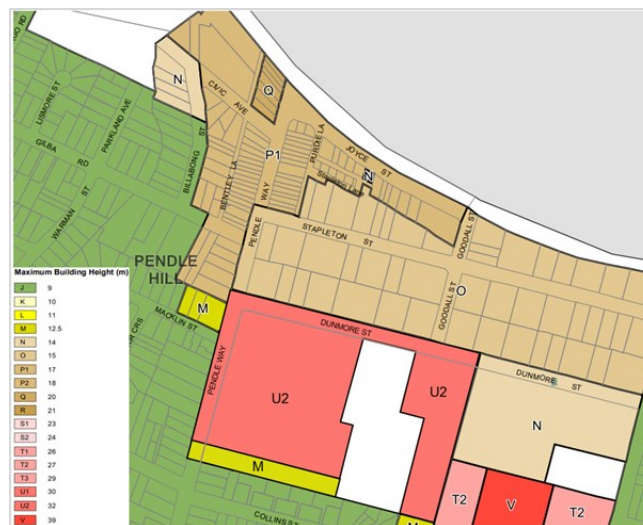


Figure 9: Proposed Height of Buildings in Planning Proposal Request

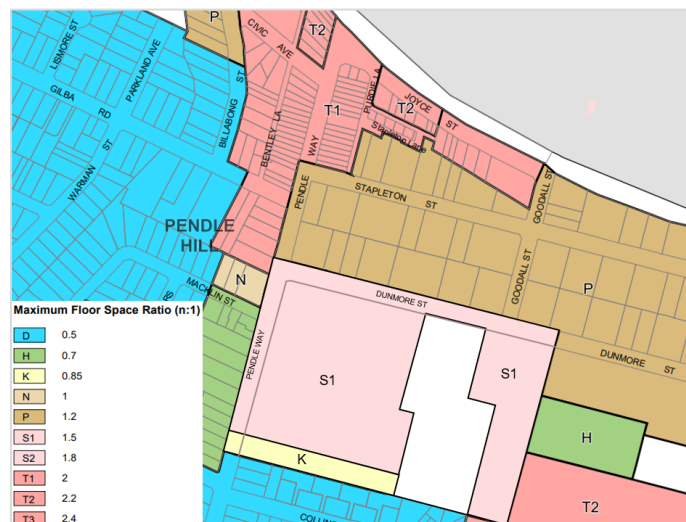


Figure 10: Proposed Floor Space Ratio in Planning Proposal Request

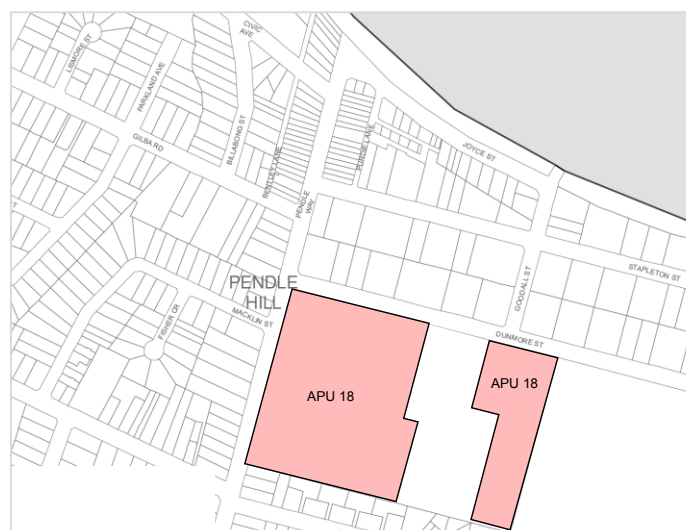


Figure 11: Proposed Additional Permitted Use in Planning Proposal Request

The intended outcome of the Planning Proposal is to facilitate redevelopment of the site for the purpose of a seniors living development including:

- Buildings of up to 8 storeys in height, comprising an indicative total of 650 independent living units (ILUs) and affordable housing units and a 240-bed residential aged care facility (RACF).
- Approximately 755 m² of community facilities floor space in the heritage listed Dunmore House and approximately 1,120 m² of non-residential floor space in the heritage listed Ashwood House.
- Basement level car parking to meet the required car parking demand.
- Approximately 51,709 m² (70% of the total site area) of open space (including publicly accessible communal and private open space), with the retention of significant vegetation on the site.
- New publicly accessible spaces throughout the site featuring new or upgraded vehicle and pedestrian through-site links.

The proponent has prepared a site-specific development control plan which sets out a detailed planning and design framework to guide the redevelopment of the site. This is consistent with the indicative masterplan as shown in Figure 12.



Figure 12: Indicative Masterplan

Public Benefit Offer

The proponent has proposed a public benefit offer that may include:

- The provision of affordable housing for low or very low-income households; and/or

- The provision and ongoing maintenance of landscaping, public footpath linkages and public furniture within the publicly accessible open space, including the open space curtilage, and/or
iv)
- The refurbishment, ongoing maintenance and provision of community related uses at Dunmore House, and/or
v)
- A substantial area of publicly accessible open space to be zoned RE2 Private Recreation and comprising Dunmore House and its curtilage.

Should Council endorse that the proposal proceed to a Gateway Determination, Council will negotiate a Voluntary Planning Agreement with the proponent to ensure that any public offer for the site maximises outcomes for the wider community and is consistent with the Cumberland Planning Agreements Policy.

Strategic Merit Assessment

There is strategic merit in progressing the proposal to the next phase of assessment based on the following grounds.

Economic and Social Benefits

- There are significant opportunities for aged care and retirement living in the Cumberland area, with unmet demand for 4,320 aged care beds and 2,110 retirement living dwellings by 2036. The proposed redevelopment's net addition of 50 aged care beds and approximately 564 dwellings contributes in meeting this forecast demand.
- The proposed café is likely to complement rather than compete with similar nearby businesses. Economic analysis submitted to support the proposal predicts that 80% of all sales at the proposed café would be from within the proposed development. This indicates that the proposed development would not have an impact on the viability of nearby centres including Pendle Hill, the Bonds site and Wentworthville.
- The proposed medical centre is likely to complement rather than compete with nearby businesses. The medical suites (or consulting rooms) at the proposed redevelopment will host visiting GPs and allied health professionals by appointment (usually organised by the facility's management on a set schedule) and as such will not be utilised by non-residents. This indicates a low level of impact on medical facilities in Pendle Hill and Wentworthville.
- The retirement living and aged care facility would generate approximately 320 direct ongoing jobs, plus a further 290 indirect jobs located in the wider economy.
- The proposal will involve the investment of hundreds of millions of dollars on site and support an estimated 140 full time equivalent direct construction-related jobs per year, and a further 430 full time equivalent indirect jobs elsewhere in the economy.

- The proposal is likely to add approximately 930 new permanent residents to the area (excluding aged care residents) and 320 workers who can contribute to the local economy through spending in nearby centres including Pendle Hill, Wentworthville and the adjoining Bonds site.

Built Form

- The increase in the scale and density of development on the site is balanced through the design and siting of the proposed buildings and the provision of appropriate setbacks and gradual height transitions.
- The proposed site-specific development control plan provides certainty that the key elements of the masterplan will be implemented even if the site is sold to another owner, which is considered unlikely.

Heritage

- The established heritage curtilage around both Dunmore House and Ashwood House provides adequate separation between the indicative built forms to negate the impact of the change to the LEP controls (see Figure 13).
- The proposed incorporation of a through-site link to the former Bonds Spinning Mills site reinforces the historic relationship between the two sites.



Figure 13: Existing Heritage Items and Curtilage

Traffic

- The proposal is not expected to compromise the safety or function of the surrounding road network. On any weekday or Saturday peak hour, the site is expected to generate between 135 and 145 vehicle trips (90 to 100 more vehicle trips than the existing facility).

Greater Sydney Region Plan

The proposal is consistent with the following objectives of the Greater Sydney Region Plan:

- Objective 10 – Greater housing supply as the proposal will increase the supply of housing for aged care and people with a disability.
- Objective 11 – Housing is more diverse and affordable as the proposal will deliver accessible housing to a broad spectrum of seniors housing to cater for an ageing population.

Central City District Plan

The proposal is consistent with the following Planning Priorities of the Central City District Plan:

- Planning Priority C4 – Fostering healthy, creative, culturally rich and socially connected communities, as the site is well connected to a number of strategic and local centres by public transport.
- Planning Priority C5 – Providing housing supply, choice and affordability with access to jobs, service and public transport, as the proposal will contribute towards providing purpose built seniors housing to cater for an ageing population. The proposal will also increase the housing supply in the Cumberland area, assisting Council to meet its dwelling targets.
- Planning Priority C20 – Adapting to the impacts urban and natural hazards and climate change, as the master plan assists to mitigate the urban heat island effect by increasing tree canopy cover on the site.

Cumberland 2030: Our Local Strategic Planning Statement

The proposal is consistent with the following key Local Planning Priorities:

- Local Planning Priority 5 – Delivering housing diversity to suit changing needs, as the proposal will supply increase housing options for an ageing population.
- Local Planning Priority 6 – Deliver affordable housing suitable for the needs of all people at various stages of their lives, as the future redevelopment will incorporate a number of accommodation options to enable people from a variety of backgrounds and socio-economic status to age in place.

CONCLUSION:

It is recommended that the Planning Proposal Request be reported to Council seeking a resolution that the Proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination. This recommendation is made as:

- The proposal will increase the supply of seniors housing, residential aged care facilities and affordable key worker housing to meet forecast demand in the Cumberland area.
- The proposal will lead to the creation of a vibrant on-site community with the inclusion of an additional 930 new permanent residents within the independent

living units, affordable key worker housing units and the residential aged care facility.

- The proposal has the potential for approximately 320 ongoing aged care and retirement living jobs on the subject site, with additional jobs generated throughout the wider local economy.
- The proposal will support the provision of new allied health services to support the on-site population.
- The proposal supports the retention and adaptive reuse of existing heritage buildings on the site, including the potential for Dunmore House to be provided for community related uses.

CONSULTATION:

The Planning Proposal Request and supporting documents were exhibited for a period of 28 days, from 1 June 2020 to 29 June 2020 as required by Cumberland's Planning Proposal Notification Policy. Council received a total of 23 submissions, including one submission in support from a Member of Parliament, Dr. Hugh McDermott MP, 17 in support and 5 objecting. Key issues are summarised below:

In Support

- The proposal will significantly benefit the local community by increasing the supply of diverse housing options, facilitating intergenerational living.
- The site will be a genuine community hub for onsite residents and the surrounding community to come together, minimising social isolation.
- The sites close proximity to the train station will allow for increased mobility and access for the community.
- The proposal will deliver 320 direct jobs in aged care and retirement living and 290 indirect jobs. The future construction will involve the investment of hundreds of millions of dollars and will provide direct construction-related jobs and indirect jobs in the community.

Opposed

- Pathways Community Church expressed strong opposition to any development that would remove the property and ministry without the due process of discussion and permission.
- Proposed building heights and density, especially in relation to privacy, overshadowing, traffic, parking and noise.
- Urban design consideration where a corridor created by the 2 storey high wall near Collins Street will create blind spot and lead to crime.

- Traffic impacts for roundabouts at Pendle Way/Magowar Road/Collins Street and Dunmore Street/Jones Street.
- Asbestos management during the redevelopment.
- Concerns about the safety and security of residents by opening the site up to the public.

General

- Suggestion to relocate the entry/exit to Pendle Way.
- Request for RE1 Public Recreation instead of RE2 Private Recreation to ensure public access, better integration and connectivity between the site and adjoining Bonds site.
- Need for the protection and enhancement of views to and from Dunmore House.
- Voluntary Planning Agreement needs to provide better public outcomes and should be similar to the Agreement for the Bonds site.

No significant issues were raised that would require Council not to consider requesting a Gateway Determination for the Planning Proposal. The concerns regarding landowner permission associated with the Planning Proposal have been responded to separately by Council.

The planning proposal relates to changes in planning controls and does not involve a detailed assessment of any buildings or structures on the site. Issues raised in submissions such as vehicular access, overshadowing, privacy and safety will be considered and addressed as part of a future development application for the site.

Should Council endorse that the proposal proceed to a Gateway Determination, Council will negotiate a Voluntary Planning Agreement with the proponent to ensure that any public offer for the site maximises outcomes for the wider community and is consistent with the Cumberland Planning Agreements Policy.

FINANCIAL IMPLICATIONS:

There are no financial implications for Council associated with this report.

POLICY IMPLICATIONS:

This report recommends that this matter be reported to Council for further consideration. Should Council resolve to forward this planning proposal to the Department of Planning, Industry and Environment for a Gateway Determination, there will be a number of policy implications associated with the subsequent stages of the planning proposal process. These will be outlined in subsequent Council reports.

COMMUNICATION / PUBLICATIONS:

There are no communication/publication implications for Council associated with this report.

REPORT RECOMMENDATION:

That the Cumberland Local Planning Panel recommend that the Planning Proposal Request be reported to Council, seeking a resolution to forward a Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination.

ATTACHMENTS

1. Planning Proposal Request [↓](#)
2. Economic Assessment [↓](#)
3. Urban Design Report [↓](#)
4. Urban Design Peer Review [↓](#)
5. Transport Impact Assessment [↓](#)
6. Aboriginal Heritage Due Diligence [↓](#)
7. Historic Archaeology Assessment [↓](#)
8. Heritage Impact Statement [↓](#)
9. Preliminary Contamination Assessment [↓](#)
10. Social Impact Assessment and Management Plan [↓](#)
11. Summary of Submissions [↓](#)