

31 October 2012

General Manager
Lake Macquarie Council
Box 1906 HRMC
NSW 2310

Attention: Ms Elizabeth Lambert

Dear Elizabeth,

DEVELOPMENT APPLICATION - DA/2233/2010 – PROPOSED RETIREMENT VILLAGE
AT NO. 153 AND 153A MARMONG STREET MARMONG POINT

Reference is made to your email dated 28 September 2012 requesting withdrawal of this application and an outline of Council concerns with the current application. Subsequently various meetings were held with Council officers. We appreciate the time undertaken by Council officers to discuss these matters with the amended design achieving an improved design outcome for the site.

Amended Plans

As you are aware the development proposal for the site has been amended by the necessity to remove community buildings and the maintenance building from the proposed Asset Protection Zones (APZs). The revised plans have been forwarded to the NSW Rural Fire Services who confirmed by email on the 19 October 2012 that all buildings to be occupied by the elderly have now been relocated from designated APZ areas. It was also noted that APZs should comply with Appendix 2 - Planning for Bushfire Protection. Notwithstanding this comment, appropriate development within the APZ is permissible and this could include the bowling green, putting green, boules court, children's playground, activity nodes, picnic shelters, community gardens, passive recreational nodes, carparking and the like.

We have pleasure in submitting amended plans and reports to Council for further assessment including:

- Amended Architectural, Landscape and Engineering plans;
- The amended architectural plans include details such as APZ, FFL details, etc;

- The amended landscape plans include accurate streetscapes, details of pedestrian access for residents in the surrounding area across the site, private open space, improved central open space corridor, etc;
- Shadow diagrams at a scale of 1:500 @ A1 including the location of private open space and an assessment of shadowing impacts in accordance with the provisions of Clause 50 of the SEPP for Seniors Living;
- Response to flora and fauna issues;
- Provision of a further geotechnical report that addresses cut/fill and maturation pond filling issues;
- Response to potential privacy impacts onto designated private open space areas of dwellings;
- Response to density of development, particularly in terms of site coverage, provision of public open space and linkages to community facilities, etc.;
- Indicative Management Plan for transportation of fill onto the site;
- Details and discussion on the range of dwelling types being offered to future residents;
- Revised erosion and sediment control plan;
- An amended acoustic report that addresses the amended layout and dwelling design and potential acoustic impacts associated with the pump station;
- Revised visual impact assessment;
- Improved disability access through the site and further discussion in respect to provision of parking facilities on site to meet resident demands;
- Removal of conflicting FFL's;
- Amended Odour Impact Assessment;
- Amended Bushfire Report which addresses Rural Fire Service concerns regarding the location of community buildings; and
- Confirmation from HWC that issues can be addressed at detailed design stage.

Summary of Amendments to Plans

The following is a summary of changes to the proposed development scheme as detailed on attached plans:

- The number of dwellings has been reduced from 110 to 94 (i.e. 8 buildings) thus reducing GFA of dwellings from 21,821m² to 18,181m²;

- The overall development footprint being reduced (including APZ's) by 3840m²
- Removal of all buildings from within APZ areas;
- Provision of 8 x 2 bedroom dwellings with single garages;
- Provision of 5 building types (i.e. 10 floor plan layouts);
- Reducing development encroachment into the existing pond area;
- Provision of a repositioned two (2) storey community facility with activities areas, pool, gym, maintenance area on lower level with lift and ramp access between levels overlooking the pond;
- Enlarging the open space corridor within the centre of development allowing for a link between dwellings and the community centre;
- Providing 1:20 disabled access throughout site by way of meandering paths in lieu of zig zag ramps and handrails; and
- Removal of maintenance shed which would be replaced by an open storage area that is appropriately screened and provision of a community garden.

A revised staging plan has also been prepared and is attached to this submission. The following is a description of the staging:

Stage 1

- Sewer, power and water connection to the site;
- Construction of buildings 13 to 23 (21 dwellings + Temporary Community Centre);
- Construction of roads and footpaths to service buildings 13 to 24 from Marmong Street entrance;
- Construction of footpath to Woodrising shopping Centre;
- Temporary community centre – Building 23 Unit 2;
- Stormwater, sediment and erosion controls to disturbed areas of site;
- landscaping to area surrounding stage 1 works and entrance to site; and
- APZ to whole of development.

Stage 2

- Construction of buildings 24 to 31 (14 dwellings); and,
- Associated landscaping and infrastructure.

Stage 3

- Construction of buildings 1 to 12 (24 dwellings);
- Construction of permanent Community Centre and bowling green;

- Conversion of Building 23 Unit 2 from temporary Community Centre to Independent Living Unit; and
- Associated landscaping and infrastructure.

Stage 4

- Construction of buildings 31 to 38 (16 dwellings); and
- Associated landscaping and infrastructure.

Stage 5

- Construction of buildings 39 to 47 (18 dwellings); and
- Associated landscaping and infrastructure.

Exhibition of the Amended Plans and Information

It is understood that 10 submissions were received by Council during the exhibition period. A review of these submissions indicates that the main objections raised to the proposed development were:

- The entry road into the site from Marmong Street should be sealed before works commencing on site to minimise dust and other potential impacts;
- The proposed site is not considered to be suitable for an aged persons development as there is only one access point to the site, no public transport or taxi service, lack of appropriate medical services, etc.;
- The site not considered appropriate for this development as it will destroy the natural ecology of the area;
- On going problems with a large drain on the site;
- Access point to the site. It has been recommended that access to the site be provided from the west of the site so that direct access is available out of Marmong Point rather than relying on residential streets;
- Flooding problems associated with the property; and
- Increase in traffic along quiet residential streets.

The amended proposal involves a reduction in the number of dwellings by 16 and hence the proposed building footprint by 3640m² which therefore will reduce traffic movements from the site and also potential run off, etc.

We are of the opinion that re exhibition of this amended proposal is not considered necessary as:

- The revised proposal will not acerbate concerns raised by nearby residents;

- The proposal involves a decrease in the number of buildings (i.e. dwellings) hence reducing the overall building footprint and increasing unbuilt upon areas;
- All existing EEC's on the site will be retained and maintained in perpetuity;
- Buildings have been removed from the APZ'S and away from the lake (i.e. existing pond);
- Reduced traffic generation levels are likely given the reduced number of dwellings;
- Access for local residents through the site will be retained by provision of a walkway including a link to the Woodrising shopping centre;
- Provision of adequate APZs that satisfy Planning for Bushfire Protection requirements and the NSW Rural Fire Service;
- Improved drainage conditions for the surrounding area;
- Increased and maintained vegetated areas upon the site;
- The vehicular access point to the site has been considered to be acceptable by Council's engineers; and
- Adequate levels of facilities and services will be provided for future residents of this development including a mini bus service, personal care, meals, light house work, community and recreation facilities, etc.

It is emphasised that this aged care development is designed to allow residents to remain within their dwellings for as long as possible (i.e. ageing in place) without having to relocate to a hostel or nursing home.

A detailed response to issues raised by your email dated 28 September 2012 can be found within the attached table.

Should you wish to discuss any matters above please do not hesitate to contact the Project Manager Angela Bill or the writer.

Yours faithfully,



ANNE MOORE
PRINCIPAL PLANNER
CITY PLAN STRATEGY AND DEVELOPMENT PTY LIMITED

RESPONSE TO LMCC's REQUEST FOR ADDITIONAL INFORMATION 28 SEPTEMBER 2012

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<p><u>NSW Rural Fire Service (NSW RFS)</u></p> <p>NSW Rural Fire Service have advised that the development is a Special Fire Protection Purpose development under Planning for Bushfire Protection 2006 (PBP), as the nature of the development means that the occupants may be more vulnerable to bush fire attack.</p> <p>NSW Rural Fire Service consider that the non residential buildings, such as the community centre, activities building and indoor pool / gym that will be occupied by elderly residents, comply with the asset protection zones requirements set out in Table A2.6 of Appendix 2 of PBP. This is considered by the RFS as particularly important, as there is a single vehicular entry / exit to the village.</p> <p>In this regard, NSW Rural Fire Service has advised that the application must be redesigned to ensure compliance with the required setbacks.</p>	<p>The amended plans have been forwarded to the NSW Rural Fire Services for review and comment.</p> <p>On the 19 October 2012 an email was received from the NSW RFS stating: "<i>The amended plan shows all buildings removed from the APZs as required including the residential units and other buildings which would be occupied by elderly residents.</i>"</p> <p>It was also indicated that the proposal should satisfy Appendix 2 APZs of PBP.</p> <p>Appropriate development within the APZ is permissible and this would include the bowling green, putting green, boules court, children's playground, activity nodes, picnic shelters, community gardens, passive recreational nodes, carparking and the like. The maintenance building should be located and designed to meet AS3959.</p> <p>The amended plans accompanying this submission demonstrate that all buildings are positioned outside the recommended APZs whilst the maintenance shed has been deleted from the development proposal. The proposed APZs also satisfy Planning for Bushfire Protection as demonstrated by the Bushfire Hazard Assessment Report prepared by Barry Eadie Consulting Pty Ltd dated 30 October 2012 Version A.</p> <p>Given these amendments to this development proposal and after referral by Council, the NSW RFS will issue GTA'S for this development.</p>
<p><u>Hunter Water Corporation</u></p> <p>HWC has not provided support for the development. At this stage, some redesign may still be required.</p>	<p>The Hunter Water Corporation (HWC) has some concerns with the development. An email has been forwarded to Council on 30 October 2012, outlining these concerns and advising that HWC would have no objection to the proposed development provided these concerns are resolved. Empowered Living will continue to liaise with HWC to resolve these issues including realignment of the existing rise main and allowing for creation of easements for access to the pumping station as requested.</p>
<p><u>Detail of Plans</u></p> <p>Detail of the plans is not adequate for assessment. The plans submitted do not show, to an appropriate scale, how each dwelling relates to its neighbour, the amount of open space provided for each dwelling (ground floor dwellings), nor are finished surface levels provided on the plans to show the relationship of the floor levels of the dwellings to the finished ground levels. There is conflict between the landscape plans, engineering plans and architectural in terms of finished floor</p>	<p>Amended architectural, landscape and engineering plans have been completed and accompany this submission to Council. The plans show consistent information and conflicts have been deleted.</p>

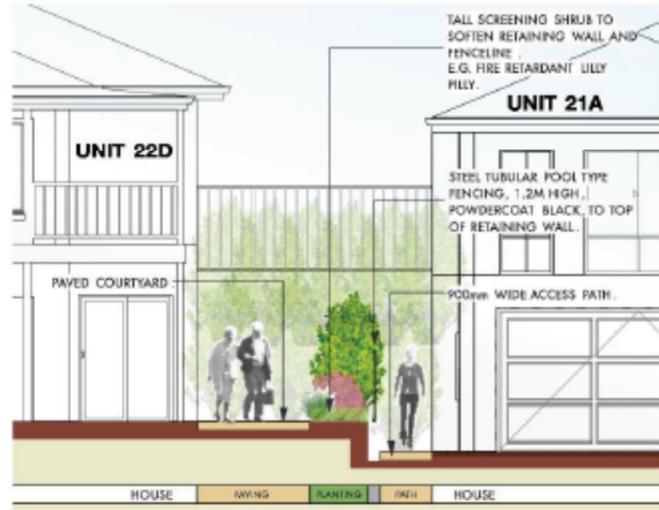
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<p>levels.</p>	
<p>Long street elevations have not been provided. This would assist in determining the relationship of the dwellings to each other.</p> <p>Insufficient sections through the development have been provided. Sections through the development would assist with determining the relationship of dwellings to each other as well as the roads and public spaces.</p>	<p>The architectural and landscape plans clearly demonstrate how proposed dwellings relate to each other including provision of private open space, landscaping, fencing and retaining walls where necessary. It is noted that FFL's of each dwelling, setback of dwellings to the street, distance between dwellings, location of visitor parking including disabled parking and width of roads have been incorporated onto the site plan (A102) prepared by Peter Dalton Architects Pty Ltd.</p> <p>Street elevations have been provided to demonstrate views along a typical street and the relationship between dwellings. Good separation is provided between dwellings for the provision of landscaping and to minimise any potential amenity impacts. A variety of front facades have been used which incorporate openings and patios or balconies with varied roof forms to create an appealing streetscape. These street elevations also depict natural ground level as well as finished floor levels of each dwelling to demonstrate the fill that will be required to be positioned in some parts of the site. The landscape plans include east west sections to demonstrate street landscaping including street trees, mass plantings, etc., the provision of retaining walls, courtyards with associated landscaping, level changes associated with the development and the relationship with the perimeter APZ and also pocket parks. Refer to Section BB below for further details.</p>

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	<p>RESIDENCES ARE PROVIDED WITH PRIVATE COURTYARD AREAS.</p> <p>STREET TREES PROVIDE VISUAL CHARACTER AND STREET RECOGNITION</p> <p>PLANTING PROVIDES SCREENING TO PRIVATE COURTYARDS AND SOFTENS RETAINING WALLS. REFER LP15 FOR PLANT PALETTE.</p> <p>THE ENTRY ROAD IS COMPRISED OF NATIVE SPOTTED GUM AND UNDERSTOREY PLANTING TO THE VERGE, IN KEEPING WITH THE BUSHLAND SETTING OF THE SITE.</p> <p>HOUSE 20C FIRST FLOOR RL11.25 GROUND FLOOR RL8.25</p> <p>HOUSE 9C FIRST FLOOR RL8.25 GROUND FLOOR RL5.25</p> <p>ENTRY ROAD</p> <p>HOUSE DRIVEWAY ROAD FOOT PATH COURTYARD MASS PLANTING TURF MASS PLANTING ROAD TURF FOOT PATH TURF</p> <p>503 SECTION BB: EAST/WEST THROUGH SITE (Part 2) LP06 Scale: 1:200</p>
<p>Shadow diagrams provided are at such a scale to make reading of the plans difficult and they do not demonstrate that the private open space areas receive adequate private solar access. Detailed analysis has not been provided within the application to demonstrate solar access within the development.</p>	<p>Shadow diagrams at a scale of 1:500 have been provided as requested which also include the location of private open space of proposed dwellings. It is also emphasised that dwellings have been provided with patios at ground level and balconies at upper level which also benefit from sunlight and act as private open space facilities for residents of these dwellings. The attached Table 1 at Appendix 1 demonstrates that approximately 89% of main living areas of proposed dwellings will receive more than a min of 3 hours of sunlight during mid winter and 85% of private open space areas of dwellings received more than 3 hours of sunlight mid winter. The proposal complies with provisions of Clause 50 (e) of SEPP Housing for Seniors or with a Disability.</p>
<p><u>Flora and Fauna</u> The proposed footprint is not considered consistent with the conservation zone objectives of this land, particularly the 7(2) zone objective 1(a) that requires the protection and enhancement of land that is environmentally important. The proposed footprint should be reduced to better protect and</p>	<p><i>Reconfiguring the footprint such that it is set back at least 20 metres from the EEC boundary and is immediately adjoined by a perimeter road;</i></p> <p>The Ecological Impact Assessment Report (ecobiological 2011) states that “For the protection of the threatened ecological community Swamp Sclerophyll Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions and SEPP 14 wetlands against indirect impacts from water runoff, sedimentation and eutrophication, it is recommended that a buffer zone of 20 m be maintained and that</p>

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<p>enhance the important ecological features of the site, as a minimum this would include:</p> <ul style="list-style-type: none"> • Reconfiguring the footprint such that it is set back at least 20 metres from the EEC boundary and is immediately adjoined by a perimeter road; and • Reducing / reconfiguring the footprint, particularly along the proposed footprints southern boundary, so that the APZ does not unnecessarily affect native vegetation and significant features particularly identified habitat hollows and <i>Tetratheca juncea</i>. <p>Removal of native vegetation within the conservation zone requires sound justification and amelioration / compensation to ensure the application achieves a net environmental gain. The application is being pursued subject to Clause 41 for which a minimum of 70 units are required; the existing application proposes 110 units. Given that an additional 40 units have been proposed to that required under Clause 41, it is considered possible to develop an application that is consistent with the lands zone objectives.</p>	<p><i>appropriate runoff and erosion measures be undertaken. A portion of this buffer will fall within the APZ, so it is expected that the removal of vegetation in this part of the APZ be kept to a minimum”.</i></p> <p>For the portion of the buffer lying within the APZ, it is expected that this vegetation can be retained, as retention prescriptions for over storey (2/3 retention for the Outer Protection Zone overall) will allow for the retention of APZ vegetation adjacent to the EEC. It is our opinion that the installation of a perimeter road will further degrade the EEC by facilitating the encroachment of weeds into the area. Sediment and erosion control mechanisms do not require a perimeter road and can be installed along a narrow path around the perimeter of the EEC.</p> <p><i>Reducing / reconfiguring the footprint, particularly along the proposed footprints southern boundary, so that the APZ does not unnecessarily impact native vegetation and significant features particularly identified habitat hollows and Tetratheca juncea.</i></p> <p>These matters have been addressed in the Ecological Impact Assessment Report (ecobiological 2011):</p> <ul style="list-style-type: none"> • Two clumps of <i>Tetratheca juncea</i> lay close to the APZ boundary. These clumps and any others detected in this area during subsequent surveys should be retained and clearly marked to avoid damage during any works within the APZ; • For the protection of locally occurring hollow-using threatened bat species, the clearing of hollow-bearing trees should be avoided where possible, particularly those occurring within any bushfire APZ. <p>It is emphasised that only four hollow-bearing trees are likely to be removed as a result of the development. Any hollows to be removed can be replaced with suitably sized nest boxes and form part of a Wildlife Management Plan for the subject site. The two clumps of <i>Tetratheca juncea</i> will be protected and retained on site.</p> <p>It is intended that 20.9 hectares (or 91%) of remnant vegetation on the subject site will be retained intact. Given an offset of 11:1 for the development, sufficient remnant bushland exist within the subject site to offset the 2:1 hectares of remnant vegetation expected to be cleared.</p> <p>The proposed number of dwellings has been reduced from 110 to 94 which equates to 3151 sq metres of GFA and the overall building footprint by 3640 sq metres. Consequently this increases the unbuilt upon area of the site to be retained. The proposal will allow retention of a significant proportion of the site as natural bushland as outlined above and no threatened ecological communities will be directly affected by any vegetation removal.</p> <p>It is emphasised that no development is proposed within the 7(1) Conservation (Primary) zone affecting this site, being a small part of the property to the north of the existing dam.</p> <p>The proposal (development footprint and APZ) extends into a portion of the 7(2) zone. As stated in the amended SOEE, <i>“only a small area of native vegetation is proposed to be removed from the site, which will be compensated through the ongoing management and conservation of significantly larger areas of bushland. No EECs, threatened species or habitats will be significantly impacted, and whilst the existing habitat corridor will be reduced in width, the proposal will not affect its effectiveness. The proposal will also allow for the undertaking of</i></p>

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	<p><i>significant land rehabilitation measures, through providing the financial incentive to remediate soils that were previously contaminated through historical uses. Further, the proposal will ensure there are no significant impacts on the hydrology of the site, including SEPP 14 wetlands and the adjacent 7(1) zone, through the implementation of a comprehensive water and erosion management scheme “</i></p> <p>Consequently it can be concluded the proposal is consistent with the objectives of the 7(2) zone given that EECs will be protected, conserved and enhanced if this development proposal is allowed to proceed as demonstrated.</p> <p>It is also noted that a significant proportion of the development will be located in an area zoned 10 Investigation. As stated in the amended SOEE: <i>“significant assessment of the site’s suitability has been undertaken and appropriate design and management measures are proposed to ensure impacts upon environmental and amenity values are minimised. Sustainable water cycle management will be implemented”.</i></p> <p>The proposed retirement village is considered to be a suitable land use for the site given the detailed studies that have been completed for the site whilst also allowing for significant areas of the site to be set aside for conservation. Consequently, this development proposal also satisfies the relevant objectives of the 10 Investigation zone.</p>
<p><u>Cut and Fill</u></p> <p>A geotechnical report has been provided for the site. This report identifies that there will be filling placed on the site up to a depth of 8m near the southern perimeter road. Typically there will be 1.5m cut and fill over the site. It is proposed to reclaim the southern section of the existing maturation pond. Fill levels will be in the order of 2m, which will be battered near the proposed bowling green and a retaining wall will be required adjoining the perimeter road. The development shows areas of significant cut. The level of cut and fill proposed for the site is excessive. This extent of cut and fill is not supported. Redesign of the development is required to better address the existing topography.</p>	<p>Supplementary correspondence has been prepared by Douglas Partners which addresses cut and fill, reclamation of part of the existing maturation dam and risk of instability adjacent to fill batters.</p> <p>It is emphasised that with this amended plan that no reclamation of the existing dam is necessary.</p> <p>The following information is provided for Council’s consideration:</p> <p><i>“The areas of deep cut or fill are localised, with the following maxima:</i></p> <ul style="list-style-type: none"> • <i>Cut of approximately 5 m depth adjacent to Road 1 at the southern corner of the proposed development; and</i> • <i>Fill of approximately 8.9 m depth beneath Road 1 at Ch 320.</i> <p><i>The geotechnical risks associated with cuts and fills (stability and settlement) can be suitably managed by applying sound engineering principles in design and construction.</i></p> <p><i>For excavations these principles would include identification of adverse jointing or bedding in rock, adherence to maximum permissible batter slopes, protection of batter slopes from erosion and provision of adequate drainage.</i></p> <p><i>In the case of fills these principles would include foundation preparation, appropriate material quality, adequate compaction, adherence to maximum permissible batter slopes, protection of batter slopes from erosion and adequate drainage.</i></p> <p><i>These matters can be readily included in construction documentation and could form a condition of consent before issuing a construction certificate. Detailed geotechnical investigations are proposed to assist the design and documentation process prior to construction; and these investigations would in particular target the areas of</i></p>

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<p><u>Design</u></p> <p>Significant concern is raised over the design of the development. The main issues are:</p> <ul style="list-style-type: none"> • Significant cut and fills required • Building A first floor dwelling is not provided with adequate private open space in terms of the balcony of this dwelling meeting the minimum 2 x 5m dimension • Location of private open space areas • Privacy to the private open space areas of each dwelling • Conflicts between dwelling layouts 	<p><i>deepest cut and fill."</i></p> <p>The amended plans have addressed these issues as follows:</p> <ul style="list-style-type: none"> • Cut and fill is still necessary due to the design of the proposed dwellings and the topographic nature of the site. Additional sections have been provided to demonstrate finished ground levels of the proposed development. Refer to Architectural Plans prepared by Peter Dalton Architects Pty Ltd for further details; • The balcony incorporated into Building Type A has dimensions of 2.0 x 5.0 metres; • Each ground level dwelling is provided with a patio which is attached to a main living area and accessible to landscaped areas surrounding the dwelling. Upper level dwellings have at least one balcony with a min of 10 sq m which are attached to main living areas of the dwelling. • Buildings have been provided with a minimum separation from 3.91 metres up to 6.9 metres with an average of at least 4.5 metres. The area between buildings will be extensively landscaped with the use of hedging along street frontages to provide for screening and to soften hard standing surfaces. Also shrubs will be strategically positioned to provide buffers between dwellings particularly where patios are located at ground level. Turfed areas will be provided for passive recreation purposes. See extracts of landscape plans below for further details. • Patios and balconies of dwellings are generally located along one side of a dwelling and along street frontages with the opposing dwelling incorporating only bedroom, laundry, ensuite, bathroom type windows so as to minimise any potential overlooking impacts along with screening landscaping. Refer to <i>LP 15 1. Residential Lots Typical Details Plan</i> and <i>S02 LP 15 Typical Treatment between Residences</i> below that demonstrate the relationship between the dwellings and private open space areas for further details. These plans also demonstrate the location of retaining walls and landscaping to allow for softening of paved areas. Some fencing will be erected to define boundaries whilst allowing for surveillance. Also opposing dwellings along streets have been positioned to be slightly offset to create an interesting streetscape and to minimise looking into private open space areas in front of dwellings. In some cases privacy screening may be attached to the ends of some upper level balconies to minimise overlooking over ground level open space if necessary. The location of private open space also appears upon shadow diagram plans to allow assessment of potential impacts.

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	 <p>TALL SCREENING SHRUB TO SOFTEN RETAINING WALL AND FENCELINE. E.G. FIRE RETARDANT LILLY PILEY.</p> <p>UNIT 22D</p> <p>PAVED COURTYARD</p> <p>UNIT 21A</p> <p>STEEL TUBULAR POOL TYPE FENCING, 1.2M HIGH, POWDERCOAT BLACK, TO TOP OF RETAINING WALL.</p> <p>900mm WIDE ACCESS PATH.</p> <p>HOUSE WING PLANTING PATH HOUSE</p> <p>S02 TYPICAL TREATMENT BETWEEN RESIDENCES LP15 Scale: 1:75</p>

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	 <p data-bbox="1108 1300 1433 1348">1 RESIDENTIAL LOTS TYPICAL DETAIL PLAN LP15 Scale: 1:200</p>

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<p><u>Density of Development</u></p> <p>The development in terms of site coverage, for area being used, appears dense with no public open space, amenities, or recreation areas central to the development. The breaking up of the development with a central open space area would assist in reducing the bulk of the development and may allow better site planning by reducing the need for the significant amounts of cut and fill, presently required for the development. Separation of the dwellings would also allow for better solar access to the living areas of the dwellings and private open space areas.</p>	<p>The revised plans include the following:</p> <ul style="list-style-type: none"> • The number of dwellings have been reduced from 110 to 94 (i.e. 8 buildings) thus reducing GFA of dwellings from 21,821 sq m to 18,181 sq m; • The proposed community centre and bowling green have been positioned adjacent to the existing lake at the north extremity of this retirement village. The existing lake will become a feature of this development proposal. Pontoons, lakeside boardwalk and jetty will all be positioned along the lake foreshores with appropriate shelters. The community precinct will be located along the southern side of this lake and will comprise a community building, bowling green, putting green, playground and picnic area. The community building has been positioned so it overlooks the existing lake with a pool, gym, activities area and deck positioned at lower floor level. • An enlarged central landscaped corridor is to be provided from the centre of the proposed village linking dwellings with the community centre, bowling green and lake. A small central park is positioned at the commencement of this landscaped corridor with seating and shelters provided for shade along this corridor. Communal open space in the form of remnant vegetated area will surround the development with a pleasant outlook being available from the dwellings and pocket parks with pathways, shelter and seating are provided at the southern end of each road and at the north western end of two roads. A pathway to the Woodrising shopping centre will be provided. • The main pathway will provide pedestrian access to all the community buildings and precinct. This will form part of a wider pedestrian network and will meet Australian standards for disabled access. Raised thresholds will be available to allow safe crossing of roadways. • The APZs surrounding the development will be free of any buildings providing an outlook from dwellings over bushland areas surrounding the site; • Planting is to be implemented surrounding the hardstand maintenance area to screen this facility and a community garden will be located to the south west of the existing lake. • Extensive landscaping will be implemented along streets with significant bushland areas surrounding the development. <p>In summary extensive community, recreation and landscaping will be provided within this retirement village which will be surrounded by significant bushland areas creating a pleasant and an appealing environment for future residents.</p>
<p><u>Range of Dwelling Types</u></p> <p>A range of dwelling types should be provided; this should include a range of bedroom and garaging options. At present, the development provides only two bedroom dwellings each with study. Each dwelling has a double garage. To ensure market</p>	<p>The range of dwelling types has been amended as follows:</p> <ul style="list-style-type: none"> • Provision of 8 x 2 bedroom dwellings with single garages; • Provision of 5 building types (10 floor plan layouts). <p>The provision of both two, two with study or three bedroom dwellings with single or double garages allows for a</p>

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<p>affordability, a range of housing options should be provided.</p>	<p>variety of dwelling types to be offered within this retirement village to accommodate the needs of future residents.</p> <p>It is emphasized that the 3 bedroom dwelling with double garage is the preferred dwelling type for this retirement village as provision of a double garage allows residents to park cars as well as providing storage facilities. Many residents moving into this proposed development will be downsizing from large detached dwellings and seek to have adequate parking and storage facilities within their dwellings. Also the village is designed to cater for active elderly and many of these residents may have recreational items such as boats, caravans, golf equipment, etc. Double garages provide additional covered and secure storage areas. The dwellings have been designed so that residents may age in place without the need to relocate. Empowered Living operates a number of other retirement villages and have found that two bedroom dwelling with study are in high demand. Also many elderly people have hobbies and use computers, sew, etc, so provision of a study allows a separate room for undertaking such hobbies.</p>
<p><u>Solar Access</u></p> <p>The application does not demonstrate solar access is achieved, it merely states this. The shadow diagrams provided are not of an adequate scale nor do they provide dimensions to allow any other assessment of these diagrams.</p> <p>The methodology used for calculating solar access compliance is questionable. The application states that SEPP SL should be used to ensure compliance with solar access requirements, however the application goes on to demonstrate "adequate" solar access based on achieving 3 hours solar access to 50% of the POS and 50% of the living rooms. It is considered that the development should comply with SEPP SL, which states,</p> <p><i>solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter</i></p> <p>This is considered appropriate as older residents are more likely to be in their dwellings and associated private open space areas for longer periods, especially during the day.</p>	<p>Amended shadow diagrams have been prepared at a scale of 1: 500 which clearly demonstrates potential shadowing impacts at 9am, 12 noon and 3pm of dwellings and associated open space areas.</p> <p>These shadow impacts have been assessed in accordance with provisions of the SEPP for Seniors Living as suggested by Council. Refer to the attached Table 1 at Appendix 1 which outlines which dwellings satisfy provisions of the SEPP. This table demonstrates that the proposal satisfies the provision of a minimum of 70% of the living areas and private open space of dwellings receive a min of 3 hours direct sunlight between 9am and 3pm in mid winter.</p> <p>Dwellings have been positioned on site so that main living areas benefit from north to north easterly aspect so as to achieve good levels of solar access during mid winter. Patios and balconies are attached to main living areas which have also been positioned to benefit from a north to north easterly aspect and often wrap around dwellings to orientate towards street frontages. Refer to <i>LP16 Artists Impression of Residential Courtyard</i> which demonstrates the treatment of a proposed courtyard. In some cases more than one patio/balcony has been provided to a dwelling so as to allow sunlight during various parts of the day. For example Dwelling Type E at ground floor level has two patios at the side and front of the dwelling and the upper level a patio and balcony at either ends of the dwelling. Therefore good solar access will be available to dwellings and their respective open space areas which satisfy provisions of this SEPP.</p>
<p><u>Additional Information Required</u></p> <p>Additional information would be required to further assess this proposal. It is considered that the application cannot be</p>	<p>The following additional information is provided for Council's consideration:</p> <ul style="list-style-type: none"> • An erosion and sediment plan that complies with LMDCP No.1; • A revised acoustic report has been prepared which incorporates the amended layout and addresses

ISSUE RAISED BY LMCC	RESPONSE
<p>favourably determined without the following information:</p> <ul style="list-style-type: none"> • Erosion and sediment control plan that complies with Council's Development Control Plan No. 1 – Principles of Development (DCP 1) and the Blue Book. • Acoustic report that addresses the amended layout of the development and dwelling design, this is to include the potential for acoustic impact from the existing sewage pump station. • Disability Access – disability access through the site must be improved, at present the central access way contains stairs that cannot be traversed by all people likely to reside in the development. 	<p>potential acoustic impact from the existing sewage pump station;</p> <ul style="list-style-type: none"> • As previously stated, an enlarged central open space corridor has been provided linking dwellings with the community facility. This pedestrian access way includes steps due to the topographic nature of the site. The development is intended to accommodate seniors (i.e. people aged over 55 years who are still active) rather than persons with disabilities. Notwithstanding this comment the dwellings have been designed so that persons may age within their own dwelling and do not have to move. Streets within the development scheme have been specifically designed to cater for people with a disability allowing people with mobility aids to walk along pathways if desired. Also a mini bus will be available to transport residents to the community centre if desired. The amended plans provide for 1:20 disabled access throughout the site by way of meandering paths. LP04 below demonstrates disabled access to be provided within the site which also links with bus stops and pick up area. 

ISSUE RAISED BY LMCC	RESPONSE
<ul style="list-style-type: none"> • Vehicle Parking – is provided far in excess of requirements. This generally discourages the use of sustainable transport modes and creates additional sealed areas that are environmentally not desirable and may be economically unnecessary. Advice is to be sought as to why these additional parking areas are required. • Finished Floor Level Plan – the application is supported by a Flood Study, which identifies that the 100 year and PMF levels on the site taking into account predicted sea level rise to 2100. The 100 year flood level at 2100 is 2.55m AHD and the 2100 PMF is 3.63m AHD. The layout places do not provide finished floor levels for the proposed buildings, but based on the final filling levels (minimum fill level of 3.15m AHD) the minimum floor levels should be satisfactory. A plan showing the finished floor levels for the units must be provided, without conflicts between the architectural plans, landscaping and engineering plans. • Disabled Parking – insufficient detail has been provided regarding disabled parking. • Stormwater report – the report identifies that a vegetated swale is required between Road 1 and the basin, however this is not shown on the plans, and it may not be possible to locate a swale in this area. • Maturation Pond – Insufficient detail has been provided as to how areas of the pond will be reclaimed and what measures will be necessary to ensure that there are no geotechnical land stability issues arising from this work and the proposed retaining walls adjoining this reclamation. • Odour Impact Assessment Report has made assumptions regarding the HWC infrastructure on site and the dosing methods utilised, the applicant is liaising 	<ul style="list-style-type: none"> • As previously stated, the majority of dwellings within this development have been designed with a double garage. Empowered Living Support Services who operate a number of Retirement Villages have found that people moving into such a Retirement Village request dwellings with double garages to enable provision of covered car parking facilities on site as well as adequate storage facilities. Many residents are still active and own two cars as well as caravans, camper trailers, trailers, boats, etc. The provision of double garage allows secure and covered storage facilities for residents who desire such facilities. • The architectural and landscape plans show finished floor levels for the proposed development and are all consistent. • Disabled parking is demonstrated upon both architectural and landscape plans and satisfies AS 2890.6 requirements. Disabled parking has been positioned in the vicinity of the community and recreation facilities allowing residents to park within close proximity if they wish to drive to use any of these facilities. • The vegetated swale is positioned on landscape plans <i>LP05 – Master Plan</i> and detailed upon engineering plans as requested. • The amended plan reduces the development encroachment into the existing pond area given the relocation of the community facility and deletion of a number of buildings from the development scheme. • The concept plans indicate fill depths of up to about 2 m. LMCC have requested further information on how the filling would be undertaken. <i>“The most appropriate construction technique will depend upon the depth and strength of soft sediments within the pond. Detailed geotechnical investigations of the pond area are proposed to assist the design and documentation process prior to construction. Potential construction methods would include:</i> <ul style="list-style-type: none"> ▪ <i>Push out fill from the edges to displace the sediments (‘mud wave’ approach), provided the sediments are soft enough to be displaced;</i> ▪ <i>Removal of soft soils ahead of fill advance using a long-reach excavator;</i> ▪ <i>Construction of a coffer dam to enable dewatering of the fill area and conventional removal of unsuitable soils; or</i> ▪ <i>If little or no soft sediment is present, fill may be pushed out in a conventional manner.</i> <i>The most appropriate method (or combination of methods) will depend on the findings of the detailed geotechnical investigation. Particular attention would be given to material type and compaction if placed under water. These matters can be readily included in construction documentation and could form a condition of consent before issuing a construction certificate.”</i> ▪ An amended Odour Impact Report has been completed when addresses concerns of Council. This report concludes: <i>“The results of the Level One odour assessment and air dispersion analysis indicate that potential</i>

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<p>with HWC regarding this, however further information is required.</p> <ul style="list-style-type: none"> Landscaping – additional detail is required regarding some areas of the development, particularly around retaining walls. 	<p><i>odours from the Marmong Point 2 pumping station are unlikely to result in odour nuisance at any MPRV dwellings. The closest building to the Marmong Point 2 pumping station is the open storage area. The storage area is located approximately 25 metres from the pumping station. Level One odour assessment suggests land within a radius of 15 metres from the pump station stack may likely be impacted by sewage odours above guideline criteria of 2 OU. Additional air dispersion analysis using AUSPLUME predicts odour GLC to be well under the NSW OEH 2 OU guideline.</i></p> <p><i>HWC has recently installed a chemical dosing system that will significantly control odour generation at the Marmong Point 2 pumping station. The chemical dosing system has undergone commissioning and performance testing with significant reductions in dissolved sulphides reported and maintained. HWC is currently in the process of increasing chemical dosing rates to achieve its performance objectives at the nearby Toronto wastewater treatment plant. The increased dosing rates will further lower the odour generation potential at the Marmong Point 2 pumping station and ensure that nuisance odour on surrounding land areas is unlikely.”</i></p> <ul style="list-style-type: none"> Amended landscaping plans have been completed which demonstrate landscaping along proposed streets, entry to the development, areas surrounding the community facilities, and also provide further landscape details around retaining walls particularly <i>SO2 LPO6 Section AA</i> and <i>SO3 LP O6 Section BB</i> .

Appendix 1:

Table 1: Assessment of Provision of Solar Access in accordance with Clause 50 (e) of SEPP (Housing for Seniors or People with a Disability) 2009

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
1A	Ground	Yes	Yes
	Level 1	Yes	Yes
2B	Ground	Yes	Yes
	Level 1	Yes	Yes
3B	Ground	Yes	Yes
	Level 1	Yes	Yes
4B	Ground	Yes	Yes
	Level 1	Yes	Yes
5A	Ground	Yes	Yes
	Level 1	Yes	Yes
6A	Ground	Yes	Yes
	Level 1	Yes	No
7D	Ground	Yes	Yes

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
	Level 1	Yes	Yes
8E	Ground	Yes	Yes
	Level 1	Yes	Yes
9C	Ground	Yes	Yes
	Level 1	Yes	Yes
10D	Ground	Yes	No
	Level 1	No	Yes
11C	Ground	Yes	Yes
	Level 1	Yes	Yes
12A	Ground	Yes	No
	Level 1	Yes	No
13D	Ground	Yes	Yes
	Level 1	Yes	Yes
14C	Ground	Yes	Yes
	Level 1	Yes	Yes

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
15D	Ground	Yes	Yes
	Level 1	Yes	Yes
16A	Ground	Yes	Yes
	Level 1	Yes	Yes
17C	Ground	Yes	Yes
	Level 1	Yes	Yes
18E	Ground	Yes	No
	Level 1	Yes	Yes
19D	Ground	Yes	Yes
	Level 1	No	Yes
20C	Ground	Yes	Yes
	Level 1	Yes	Yes
21A	Ground	Yes	No
	Level 1	Yes	No
22D	Ground	No	Yes

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
	Level 1	Yes	Yes
23C	Ground	Yes	Yes
	Level 1	Yes	yes
24A	Ground	Yes	Yes
	Level 1	Yes	Yes
25C	Ground	Yes	Yes
	Level 1	Yes	Yes
26E	Ground	Yes	Yes
	Level 1	Yes	Yes
27D	Ground	Yes	No
	Level 1	Yes	Yes
28C	Ground	Yes	Yes
	Level 1	Yes	Yes
29A	Ground	Yes	No
	Level 1	Yes	Yes

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
30D	Ground	No	Yes
	Level 1	Yes	Yes
31A	Ground	Yes	Yes
	Level 1	Yes	Yes
32D	Ground	No	Yes
	Level 1	Yes	Yes
33C	Ground	Yes	Yes
	Level 1	Yes	Yes
34D	Ground	No	No
	Level 1	Yes	Yes
35C	Ground	Yes	Yes
	Level 1	Yes	Yes
36A	Ground	Yes	No
	Level 1	Yes	No
37D	Ground	No	Yes

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
	Level 1	Yes	Yes
38C	Ground	Yes	Yes
	Level 1	Yes	Yes
39A	Ground	Yes	Yes
	Level 1	Yes	Yes
40D	Ground	No	No
	Level 1	Yes	Yes
41C	Ground	Yes	Yes
	Level 1	Yes	Yes
42D	Ground	No	No
	Level 1	Yes	Yes
43C	Ground	Yes	Yes
	Level 1	Yes	Yes
44E	Ground	Yes	Yes
	Level 1	Yes	Yes

Building	Level	Living Room Compliance with SEPP	Private Open Space Compliance with SEPP
45D	Ground	Yes	Yes
	Level 1	Yes	Yes
46C	Ground	Yes	Yes
	Level 1	Yes	Yes
47D	Ground	No	Yes
	Level 1	Yes	Yes
Total		84	80
		89%	85%

The above table demonstrates that 89% of main living areas and 85% of private open space areas of proposed dwellings will receive at least 3 hours sunlight mid winter.