

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast Region)

JRPP No	2013HCC005
DA Number	249/2013
Local Government Area	Great Lakes Council
Proposed Development	Aged Care Accommodation
Street Address	130-158 Kularoo Drive, Forster (Lot 83 DP 262684)
Applicant/Owner	Great Lakes Aged and Invalid Care Association Limited
Number of Submissions	30
Recommendation	Deferred Commencement Consent
Report by	David Pirie, Senior Development Assessment Planner

Assessment Report and Recommendation

Executive Summary

Proposed Development

The application proposes aged care accommodation (seniors housing) in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 on vacant land at 130-158 Kularoo Drive (Lot 83 DP 262684), the corner of Kularoo Drive and Karloo Street, Forster, NSW, 2428. The proposal includes 50 self care, single and part two storey, self-contained attached dwellings in the form of duplexes; a clubhouse, a 144 place residential aged care facility, ranging in height from one (1) to four (4) storeys; associated parking; site works; and landscaping.

Referral to Joint Regional Planning Panel

The proposal is referred to the Joint Regional Planning Panel for determination pursuant to Section 23G and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, as amended, given that the proposed development has a capital investment value over \$20 million.

Permissibility

The site is zoned 2(a) (Low Density Residential Zone) pursuant to the *Great Lakes Local Environmental Plan 1996*. The proposal is characterised as 'multiple dwellings' and a 'hostel', both of which are permissible within the 2(a) Zone subject to development consent. The required owner's consent has been provided. The proposal is local development.

Consultation

In accordance with Council's Notification Policy the application was advertised and notified from 13 March 2013 to 10 April 2013, resulting in the receipt of 30 submissions, of which one (1) was in support of the proposal and 21 were form letters objecting to the proposal and of the remaining objections, two objectors made two separate submissions each.

Key Issues

The main issues identified in the assessment and/or raised in the submissions were as follows:

- Height (storeys) of the residential care facility adjacent to the eastern (side) boundary and southern (rear) boundary - SEPP 1 objection Clause 40(4) of Seniors SEPP.
- Impact on adjoining properties to the east and south of the site.

Recommendation

The SEPP 1 objection be supported, the Director-General's concurrence be assumed in accordance with Planning Circular B1 and deferred commencement consent be granted to DA-249/2013 subject to conditions.

Appendices

- A. Conditions of consent
- B. Plans and elevations
- C. Staging Plan
- D. Height Analysis Plan
- E. Accessibility and useability standards applying to hostels and self-contained dwellings
- F. Perspectives

1. Background

- 5 February 2013 Development application lodged.
- 5 February 2013 Owner's consent for application requested by letter.
- 12 February 2013 Request for information letter sent for notification plans.
- 19 February 2013 Owner's consent received.
- 28 February 2013 Request for information letter sent, including CD, Basix commitments shown on plans; survey information; traffic and access matters; stormwater and water quality; landscaping and tree matters.
- 12 March 2013 JRPP notified and CD sent to JRPP.
- 13 March 2013 Application advertised and notified until 10 April 2013.
- 22 March 2013 Additional information received: height drawings; addendum to statement of environmental effects; survey; traffic report
- 3 April 2013 Application considered by Traffic Advisory Committee.
- 9 April 2013 Report to Council Strategic Committee Meeting advising of lodgement of development application.
- 11 April 2013 Letter sent to applicant advising of unresolved matters: stormwater and water quality; landscape plans; arborist report and landscaping; traffic and access. Assessment in relation to Seniors SEPP to be undertaken and clarification requested in relation to floor space and landscaped area.
- 29 April 2013 Letter sent to applicant advising of outstanding matters in relation to Seniors SEPP and outstanding matters from previous requests.
- 8 May 2013 Email response by applicant in relation to floor space and landscaped area.
- 7 June 2013 Response received from architect by letter dated 31 May 2013 to Council request of 29 April 2013.
- 12 June 2013 Access Report provided.
- 12 June 2013 Email request to architect for further information on waste collection for self-contained dwellings.
- 13 June 2013 Briefing Meeting with the Joint Regional Planning Panel in Newcastle.
- 14 June 2013 Arborist report provided by email and architect advises that he will be posting JRPP drawings and cd/dvd.
- 14 June 2013 Applicant and architect advised to hold off posting final drawings and CD as JRPP had requested additional information at the Briefing Meeting, including legal advice, further information in relation to Access Report, interpretation of deep soil zone, landscaped area, density and scale and further argument on compliance with Seniors SEPP.
- 17 June 2013 Architect requests tentative date for JRPP hearing and is advised that a tentative date set for 8 August and that it was imperative for the applicant to provide requested information as report would have to be finished and with the JRPP by 26 July. Also that the JRPP requested that the hearing date be moved to accommodate the hearing of DA 323/2013 (176 lot residential subdivision - the Southern Parkway, Forster) if there were objections.
- 21 June 2013 Architect provides further information as written argument in relation to Seniors SEPP and access.
- 26 June 2013 Architect provides further written argument in relation to SEPP and interpretation.
- 2 July 2013 Applicant provides memorandum of legal advice.
- 3 July 2013 JRPP advises that submission on DA 323/2013 constitutes an objection and a public hearing of JRPP required and requests for liaison to determine a joint hearing date.

- 4 July 2013 Updated DVD received.
- 9 July 2013 Applicant requested to provide further information in relation to arborist report.
- Spreadsheet and copies of submissions provided to JRPP.
- 16 July 2013 Further arborist comments received by email.
- 26 July 2013 Tentative date for JRPP meeting set with secretariat for 12 September as not possible to determine a joint hearing date with DA 323/2013.
- 30 July 2013 Applicant advised tentative date and requested to provide further information on garbage truck access and evidence as a "social housing provider" in accordance with legal advice.
- 8 August 2013 Meeting with architect, Council officers and garbage contractor to discuss access issues for garbage trucks.
- 15 August 2013 Additional drawing provided by architect for revised garbage/loading bay arrangement.

2. Site and Locality Description

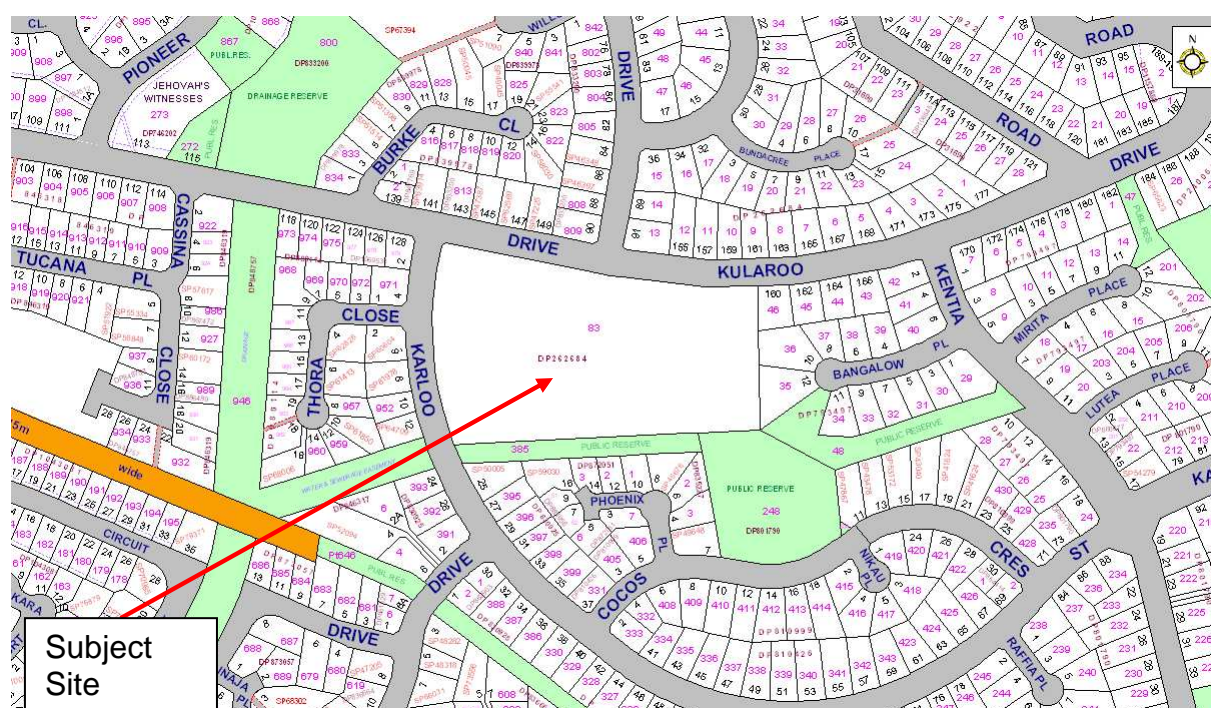


Figure 1: Site locality map

The site is vacant land, previously reserved for use as a school by the NSW Department of Education. The land was rezoned to 2(a) (Low Density Residential Zone) and sold to the present owners in 2012. The site is irregular in shape having an area of 3 hectares (ha), on the south-east corner of the intersection of Kularoo Drive and Karloo Street, Forster and is identified as Lot 83 in DP 262684 (130-158 Kularoo Drive) - refer Figure 1 above. The site is grassed with isolated trees and a number of Cabbage Tree Palms. The site has two (2) street frontages:

- Kularoo Drive, with a frontage of 238.803m
- Karloo Street, with a frontage of 153.3m

An electricity easement 1m wide is located adjacent to the site boundary with Kularoo Drive. Kularoo Drive is a collector road, linking to The Lakes Way and serving the central residential area of Forster, which is also bounded by Underwood Drive and Strand Street. Karloo Street is a local access road, which connects between Kularoo Drive and Lakeview Crescent. The site is approximately 1.2km from Stockland Shopping Centre, Great Lakes Council Chambers, library

and community facilities, approximately 2.5km from Forster Private Hospital and other medical facilities in South Street, Forster and less than 1km from One Mile Beach. Pioneer Drive connects to Kularoo Drive, as a 'T' intersection, opposite on the northern side of Kularoo Drive. A bus stop is currently located in Kularoo Drive, near the boundary with the adjoining property to the east (160 Kularoo Drive).

Neighbouring the property to the east are one and two storey dwelling houses (10 and 12 Bangalow Place and 160 Kularoo Drive). Located on the northern side of Kularoo Drive are one and two storey dwelling houses. Located to the rear of the site is an open space public reserve containing a drainage channel, with single storey dwelling houses and duplex/villa developments on the southern side of the reserve and on the western side of Karloo Street.

The surrounding area is residential in character and consists predominantly of one and two storey dwelling houses and single storey duplexes/villas. Figure 2 is an aerial view of the subject site and surrounding area.



Figure 2: Aerial view of site and surrounds

3. Project Description

The application seeks consent for aged care accommodation ('seniors housing') in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 on vacant land at 130 - 158 Kularoo Drive (Lot 83 DP 262684), the corner of Kularoo Drive and Karloo Street, Forster, NSW, 2428. The project development is entitled 'Pacific Cape' and the estimated capital investment value of the proposal is identified as \$23,326,226. Plans and elevations are provided at Appendix 'B' of this report.

The proposed development includes the following:

- Construction of 50 self care single and part two storey self-contained attached dwellings in the form of duplexes, either of a two (2) or three (3) bedroom design, with the main bedroom fully accessible.
- A clubhouse and open space located centrally within the self-care dwelling precinct.
- A 144 place residential aged care facility, ranging in height from one (1) to four (4) storeys.
- Estimated employment of 42 staff for the residential care facility.

- The provision of 83 parking spaces for the residential care facility, including eight (8) spaces for people with a disability and seven (7) visitor spaces at the 'Port Cochere' building entry.
- Site works and associated landscaping.

It is proposed to stage the development over a number of years and a 'Staging Plan' for the proposed construction of the development identifies seven (7) stages. Stages 1 - 4 and Stage 7 are shown as relating to the self-contained housing. Eight (8) self-contained dwellings fronting Karloo Parade and 10 self-contained dwellings fronting Kularoo Drive, are proposed to be constructed within Stages 1 and 2 respectively and the 'village' clubhouse, associated open space (the 'village green') and 18 self-contained dwellings having access off the proposed internal road are to be constructed as part of Stage 3. A further eight (8) self-contained dwellings with access off the proposed internal road are to be constructed as part of Stage 4. The residential care facility is proposed to be constructed as Stages 5 and 6, with the remaining six (6) self-contained dwellings constructed as Stage 7. The Staging Plan (629DA_10_104A) is provided at Appendix 'C' of this report.

The residential care facility building is proposed to be located on the eastern side of the site and consists of varying levels in two wings (north and south) connected by a central spine on a north-south axis. Each wing has clusters of rooms radiating out at angles from the central spine. The building steps down from the predominantly one storey Kularoo Drive street frontage and entry to the predominantly three storey southern wing at the rear, in order to relate to the site topography. The majority of the car parking is located at Level 1 in the southern wing, with driveway access from Kularoo Drive. Table 1 below provides a building breakdown for the residential care facility.

Table 1: Composition of residential care facility by level

Level	RL (AHD)	Wing	Provision
Level 1	6.00	South	<ul style="list-style-type: none"> • 71 parking spaces (including 2 for people with a disability). • 4 spaces for bicycles. • Plant room, lift and stairs.
Level 2	8.80	North	<ul style="list-style-type: none"> • 5 parking spaces (including 2 for people with a disability). • Loading bay. • Garbage/recycling room; kitchen; laundry rooms; storage rooms; maintenance/workshop; toilets.
	9.00	South	<ul style="list-style-type: none"> • 36 resident rooms, each with a bed. • Staff lounge/dining and change rooms (central to north and south wings). • Lobby; lounges (2), dining areas (2); sitting rooms (2); common rooms (2); toilets; lift; stairs; staff station; external sun terrace.
Level 3	12.00	North	<ul style="list-style-type: none"> • 36 resident rooms, each with a bed • Staff station, common rooms (2); nooks (4) porches (2); lounges (2); dining areas (2);toilets; staff amenities; stairs; lift • Main activity area and chapel (centrally located between north and south wings). • External courtyard.
	12.00	South	<ul style="list-style-type: none"> • 36 resident rooms, each with a bed. • Lobby; lounges (2), dining areas (2); sitting rooms (2); common rooms (2);toilets; lift; stairs; staff station;

Level 4	15.00	North	<ul style="list-style-type: none"> • 36 resident rooms, each with a bed. • 7 external car spaces within 'port cochere' (including 4 for people with a disability). • Reception; lobby; seating areas; toilets; interview room; staff station, common rooms (2); lounges (2); nooks (2); dining areas (2); lift; and stairs. • Atrium courtyard, café, kiosk, salon and therapy area.
Level 5	18.00	North	<ul style="list-style-type: none"> • Training room, sitting area, kitchen; toilets. • Offices; lobby, lift; services; and stairs.

4. Consultation

In accordance with Council's Notification Policy, the application was advertised in the local paper (the Great Lakes Advocate) and notified by letter to surrounding residents, with the plans and documentation exhibited at the Great Lakes Council Chambers from 13 March 2013 to 10 April 2013, resulting in the receipt of 30 submissions. Of the submissions received, 29 submissions objected to the proposal and one (1) submission is in support of the proposal. Of the 29 submissions in objection to the proposal, 21 were form letters and two objectors made two separate submissions each (a detailed summary of the submissions and planning comments are contained in Section 6.9 of this report).

Support

The key matters raised in support of the proposal can be summarised as follows:

- A much needed facility to progress from villa to hostel without the need to transfer to different sites.
- Proximity of the site to services and community facilities.
- Large and increasing ageing population and people with disabilities would benefit from the type of accommodation on offer.

Objection

The key matters raised as objections to the proposal can be summarised as follows:

- Height of the residential care facility (RACF), in particular the height of the building adjacent to the side (eastern) boundary and rear (southern) boundary.
- Non-compliance with the building height standards of the Seniors SEPP, being 8m overall height, two (2) storeys adjacent to a boundary and one (1) storey in the rear 25% area of the site.
- Incompatibility of the building height with the 2(a) Low Density Residential Zone and the surrounding residential area.
- Impacts of the height bulk and scale of the RACF on the streetscape and in particular on the three (3) properties adjoining the eastern boundary of the site (10 and 12 Bangalow Place and 160 Kularoo Drive) in terms of loss of outlook, loss of privacy and loss of light.
- Traffic and parking issues, in particular the location of driveways onto Kularoo Drive (including access driveways to the RACF) and location of roundabout in Karloo Street in close proximity to the Kularoo and Karloo intersection resulting in safety concerns. Parking exceeds the requirements of the Seniors SEPP and reducing the size of the car parking level under the RACF would allow the building to be lowered in height.
- Potential damage from excavation for the RACF and ground water flow to adjacent properties.
- Overdevelopment of the site.
- Loss in surrounding property values.
- Concentration of aged care accommodation within Forster not being in the public interest.

5 Referrals

5.1 External

The following external agency has provided comment:

- MidCoast Water

MidCoast Water has raised no objections to the proposal and has provided conditions as contained within Appendix 'A' of this report.

5.2 Internal

Internal referrals were obtained from the following sections within Council:

- Environmental Health
- Building
- Natural Systems
- Transport Assets
- Traffic Advisory Committee

Conditions of consent as recommended from the internal sections within Council and are contained within Appendix 'A' of this report.

6. Section 79C Considerations

The following matters listed under Section 79C of the Environmental Planning and Assessment Act 1979, as amended (EP&A Act), are relevant in considering this application:

6.1 Environmental Planning Instruments - [Section 79C(1) (a)(i)]

6.1.1 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

The proposal comprises "seniors housing" under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP), which is defined under the Seniors SEPP as the following:

"seniors housing is residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:

- (a) a residential care facility, or*
- (b) a hostel, or*
- (c) a group of self-contained dwellings, or*
- (d) a combination of these,*

but does not include a hospital".

The application proposes a combination of self-contained dwellings and a residential care facility for low, high and dementia care. It stated in the Statement of Environmental Effects (SEE) that consideration has been given in the design for the *"self care village to have separate identity being able to stand alone from but still have connection with the residential aged care facility"*.

The proposed 144 place residential aged care facility is defined under the Seniors SEPP as a "residential care facility", with the following meaning:

*"a **residential care facility** is residential accommodation for seniors or people with a disability that includes:*

- (a) meals and cleaning services, and*
- (b) personal care or nursing care, or both, and*
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,*

not being a dwelling, hostel, hospital or psychiatric facility".

The application also proposes 50 self-contained dwellings in the form of duplexes. A "self-contained dwelling" has the following meaning under SEPP 2004:

*"a **self-contained dwelling** is a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis".*

The SEE states that the self-contained dwellings are proposed as "serviced self-care housing" as services will be available to the self-contained dwellings and as such, the proposal is not for "in-fill self care housing". It should be noted that under Clause 31 of the Seniors SEPP, consideration of the departmental publication *Seniors Living Policy: Urban Design Guideline for Infill Development* is only required for in-fill self-care housing.

"Serviced self-care housing" is defined as follows

*"**serviced self-care housing** is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care".*

Great Lakes Aged and Invalid Care Association (GLAICA - the applicant) has advised that the following services will be refined over time to meet the residents' needs, with administration, prior to completion, being handled from the existing GLAICA facility in Tuncurry:

- Respite care in situ and also at the existing GLAICA house complex in Tuncurry.
- Personal care as required.
- Provision of meals.
- Laundry and cleaning services.
- Assistance with shopping and appointments.
- Day trips.

The Seniors SEPP restricts the occupation of seniors housing and any consent must include a condition (see Recommendation of this report) that only the following kinds of people may occupy any accommodation within the development:-

- (a) seniors or people who have a disability,
- (b) people who live within the same household with seniors or people with a disability,
- (c) staff employed to assist in the administration of and provision of services for seniors housing.

The Seniors SEPP aims to encourage the provision of housing that:

- increases the supply and diversity of residences that meet the needs of seniors or people with a disability,
- makes efficient use of existing infrastructure and services,

- is good design.

To achieve these aims SEPP 2004:

- Sets aside local planning controls that would prevent the development of housing for seniors or people with a disability and specifies certain development standards and criteria.
- Provides design principles to achieve built form that responds to site characteristics and form.

Development standards for compliance

Part 4, Clause 40 SEPP 2004 provides the development standards that must be complied with for any proposal for seniors housing - refer Table 2 below, which provides a compliance table for the subject development with respect to these standards.

Table 2: Development standards for compliance

	Standard	Proposal	Compliance
Site size	1,000m ² (minimum)	30,000m ²	Not applicable - applicant states that it is a social housing provider - refer to discussion below in report.
Site frontage	20m (minimum)	<ul style="list-style-type: none"> • 240m (approx) - Kularoo Drive • 150m (approx)- Karloo Street 	Not applicable - applicant states that it is a social housing provider - refer to discussion below in report.
Height	<ul style="list-style-type: none"> • 8m height (maximum) • 2 storeys (maximum) adjacent to a site boundary • 1 storey (maximum) in the rear 25% of the site 	<u>Residential car facility</u>	
		10.7m height (maximum)	No (refer to SEPP 1 objection)
		3 storeys (maximum)	No (refer to SEPP 1 objection)
	<ul style="list-style-type: none"> • 8m height (maximum) 	3 storeys (maximum) in rear 25% of site	Not applicable - applicant states that it is a social housing provider - refer to discussion below in report.
		<u>Self-contained dwellings</u>	
		3.9m height (maximum)	Yes

	<ul style="list-style-type: none"> • 2 storeys (maximum) adjacent to a site boundary 	1 and two storeys	Yes
	1 storey (maximum) in the rear 25% of the site	1 storey (maximum) in the rear 25% of the site	Not applicable - applicant states that it is a social housing provider - refer to discussion below in report.

Under the *Great Lakes Local Environmental Plan 1996*, the proposed development is located within the 2 (a) (Low Density Residential Zone) and within this zone, residential flat buildings are not a permissible form of development and as such, the Seniors SEPP requires that the height of all buildings must not exceed 8m and where located adjacent to a site boundary, the building must be not more than two (2) storeys in height.

As can be seen from Table 2 above, while the proposed self-contained dwellings meet the required height and storeys standards, the proposed residential care facility (RCF) exceeds both the maximum 8m height requirement (measured vertically from the ground level to the underside of the ceiling of the topmost floor) and two (2) storeys requirement adjacent to the site boundary.

The RCF building has a maximum height of 10.7m within the centre of the northern wing of the building, which is also four (4) storeys in this area. The RCF building has three (3) storeys adjacent to the rear (southern) boundary and up to three (3) storeys, adjacent to front (northern) and eastern site boundaries. The applicant has lodged a submission pursuant to *State Environmental Planning Policy No. 1 - Development Standards* with respect to the non compliance with these standards and this is discussed under this heading below in the report.

Clauses 40(2), (3) and 4(c) relate respectively, to minimum site area and frontage requirements and maximum number of storeys located in the rear 25% area of the site, however, these requirements do not apply to the Department of Housing or any other social housing provider. The applicant submits that it is a "social housing provider" under the meaning contained within the Seniors SEPP, being *"a not-for-profit organisation that is a direct provider of rental housing to tenants"*. In this respect, the applicant has submitted a legal opinion that advises that it is reasonably arguable that the Great Lakes Aged and Invalid Care Association Limited (GLAICA) is a *"not for profit organisation that is a direct provider to rental housing to tenants"* and therefore a *"social housing provider"* for the purposes of the Seniors SEPP provided it can demonstrate the following:

- "a. *By its financial statements and records, that it is indeed a "not-for-profit" organisation;*
- b. *That it is indeed proposes to make the housing available itself, by itself;*
- c. *That the housing that will be provided will be rental housing made available to tenants; and*
- d. *That it will make the relevant development application".*

In respect of the above points, GLAICA has made the development application and confirms that there is no other entity involved. GLAICA has also provided confirmation with the Australian Business Registry that confirms its operation as a not for profit entity (a "Public Benevolent Institution"). Further, GLAICA confirms that it will be *"the direct provider of rental housing and*

residents of the village will occupy premises on a loan licence arrangement with the residents having rights of exclusive possession under the tenancy agreement".

Great Lakes Council has sought and obtained its own legal advice in relation to the above and this confirms that the entity (GLAICA) meets the definition of a "social housing provider" under the Seniors SEPP.

Development standards for accessibility and useability

Clause 41 of the Seniors SEPP requires the consent authority to ensure that hostels and self contained dwellings achieve compliance with the accessibility and useability standards set out in Schedule 3 of the Seniors SEPP. These relate to such matters as wheelchair access, security, kitchen, bedroom and bathroom design, etc and are listed for compliance in 'E'. An Access Report prepared by Access Australia dated 18 June 2013 details that the proposed development will achieve compliance with these standards and appropriate conditions of consent are contained within the Appendix 'A' of this report. It should be noted that the applicant has advised that the internal pathway running throughout the independent living component and linking to the RCF will be provided in accordance with AS 1428.1 so that a person can move through the site using a wheelchair. This also forms part of the conditions of consent contained in Appendix 'A' of this report.

Accessible car parking

Clause 5 of Schedule 3 of the Seniors SEPP states:

If car parking (not being car parking for employees) is provided

- (a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and*
- (b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and*
- (c) Any garage must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.*

The self-contained dwellings have either a single or two car garage, however, to meet the requirements of AS 2890, the car spaces must have a minimum width of 3.2m plus a 'shared space' of 1.6m. As such the garages, both single and double (3m and 6.2m in width respectively) do not achieve the standard.

It is acknowledged that not all dwellings may require such parking and the level of parking is above that required for a 'social housing provider' for self contained dwellings i.e. 60 spaces provided whereas as only 10 spaces are required under Clause 50 of the Seniors SEPP. As there are 10 dwellings with a double garage, 10 spaces can be provided to achieve the AS 2890, if each garage is utilised as a single space for a person with a disability. An appropriate condition of consent is therefore contained within the Appendix 'A' of this report.

The RCF provides 83 parking spaces, of eight (8) parking spaces provided for people with a disability. Four (4) of these spaces are located within the Port Cochere entry area and two (2) are in the Level 2 service area and as such it is reasonable to consider that these spaces should either be for visitor and staff parking respectively. Clause 48 of the Seniors SEPP requires 15 spaces for residents of the building and all of these must achieve the Australian Standard and be located within the basement car park. Sufficient additional parking has been provided in the Level

1 parking area to achieve compliance and accordingly an appropriate condition of consent is contained within the Recommendation of this report.

Site related requirements and design principles

In addition to the above standards, the Seniors SEPP also requires the consent authority to be satisfied with regard to a number of site related requirements and that adequate regard has been given to a number of design principles as discussed below.

Location and access to facilities

Clause 26 of the Seniors SEPP requires that development for seniors housing will have access to shops; bank service providers; other retail and commercial services; community services and recreation facilities; and the practice of a general medical practitioner. These facilities must either be:-

- (a) within 400m from the site and accessible by means of a suitable access pathway, and/or
- (b) accessible by mean of a transport service that is within 400m of the site and which will take residents to a place which is not more than 400m from these facilities. A suitable access pathway must run between the site and the transport service and between the drop off point and the facilities as nominated above.

The suitability of the access path way is based on acceptable gradients as specified within the Seniors SEPP and also that the pathway is sealed, to allow access by way of an electric wheelchair, motorised cart or the like.

Documentary evidence has been provided by the applicant in the form of an Access Report prepared by Access Australia dated 18 June 2013, detailing that the proposed development is well located to a range of facilities and services in accordance with the Seniors SEPP, including Stockland Forster Shopping Centre, Cape Hawke Community Hospital, Great Lakes Council Library, a variety of professional and medical consulting offices, recreation and sporting clubs, all within two (2) kilometres to the west and north of the site.

Bus stops are located adjacent to the north-east corner of the site on Kularoo Drive and to the south-west on Karloo Street both of which are closer than 400m of the site. Currently there is no pathway in front of either site frontages, however, an appropriate condition of consent is contained within Appendix 'A' of this report requiring pathways with gradients to the bus stops in compliance with the standards set out in the Seniors SEPP.

It should be noted also that a condition of consent as recommended by the Traffic Advisory Committee is for the adjacent bus stop in Kularoo Drive (in front of 160 Kularoo Drive) to be relocated to the frontage of the subject site and upgraded to a bus shelter and for the bus stop in Karloo Street to be upgraded to comply with the disability standard for accessible transport. Appropriate conditions of consent are contained within Appendix 'A' of this report to achieve these requirements.

Water and sewer

The consent authority must be satisfied that the proposed seniors housing will be connected to reticulated water and sewage systems. In this regard documentary evidence has been received from MidCoast Water that reticulated water and sewage services can service the proposed development and has advised appropriate conditions of consent that are contained within Appendix 'A' of this report.

Design Principles

Neighbourhood amenity and streetscape

The proposed development is located in an area of one and two storey dwellings and attached dwellings on the northern and southern side of Kularoo Drive, east of Boundary Street in South Forster. The area is characterized by a fairly consistent subdivision pattern apart from a similar sized allotment developed as aged care accommodation at the corner of Kularoo and Boundary Street to the east of the subject site. The application has been amended to minimise the driveway frontages on the road reserves of Karloo Street and Kularoo Drive consistent with the surrounding streetscape.

The proposed development comprises single and part two storey self-contained duplex dwellings located within the western and central sections of the site, with the larger scale RCF building located at the eastern end of the site, in recognition of the steeper site topography in this section. This placement allows a continuation of a one/two storey built form when the RCF building is viewed from the Kularoo Street frontage and a predominantly three storey appearance when viewed from the rear. Its form has been modulated in wings that radiate out from a central north-south building spine at an angle. This provides deep recesses to the built form when viewed from the adjacent eastern and southern site boundaries, thereby reducing the visual impact of the building massing. Each of these elements has been well articulated with fenestration, materials and finishes, along with varied roof forms to reduce apparent bulk and visual impact. The proposed design adopts Dutch gables along the roof edges in order to reference a residential roof profile.

The front setbacks are generally consistent with the surrounding residential development in the area. The RCF maintains a building setback of 6m except for a slight encroachment of the north-east wing of the building, however, given the 'splayed' and articulated form of the building and its one/two storey appearance, it is not considered that this will form an overly dominant element in the streetscape.

While there is sparse tree cover to the site, trees located around the edge of the site and which may be considered valuable for site screening or to provide specific amenity for neighbouring properties are largely being retained on site and the concept landscape plan provides sufficient areas to adopt appropriate planting species to blend the proposed development into the neighbourhood. The Cabbage Tree Palm located in proximity to the building footprint will be required to be relocated on the site. While the landscaping design is only in concept form a deferred commencement condition is contained within the Recommendation of this report so that all necessary detail is provided, including an appropriate planting schedule, to ensure that planting is in sympathy with the streetscape and surrounding area (refer Section 6.7.8 of this report - "Flora and Fauna").

Visual and acoustic privacy

As a design principle under the Seniors SEPP, the proposed development should consider the visual and acoustic privacy of residents and neighbours by:

- (a) *appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and*
- (b) *ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.*

The self-contained duplex dwellings are generally of single storey design, except for Self-contained Dwellings 1-6, which are part one/part two storey design. No privacy issues are raised with respect to these dwellings and neighbouring properties to the south of the site, due to the

separation afforded by the drainage reserve. Similarly there are no substantial privacy issues internally on the site arising from the relationship between single storey dwellings.

Overlooking issues arises with respect to the upper floor windows of those two storey dwellings (Self-contained Dwellings 3 and 4) that contain living areas overlooking the courtyards/private open space of adjacent dwellings. It is considered that external slatted louvres may be fixed at an angle to the upper level family room windows of these dwellings, in order to minimise downwards overlooking into the courtyards of adjacent self-contained dwellings.

Similarly internal overlooking between the Level 2 sun terrace on the south-western wing of the RCF building to the courtyards/private open space of Self-contained Dwellings 35, 36, 37 and 38 may be ameliorated by having a 1.8m privacy screen applied to the edge of the terrace.

The issue of site layout and separation distances between the RCF building and neighbouring residential properties and affording adequate privacy to those properties has been of on-going concern throughout the assessment process. It is considered, however, that the interface of the RCF building to the eastern boundary is provided with generous setbacks and landscape treatment, while the drainage reserve of approximately 19m in width along the majority of the length of the southern boundary generally provides sufficient separation to ensure the privacy of southern properties. The orientation of residents' rooms within the various RCF wings are angled to the boundary, without balconies and are not considered to require any privacy treatment.

It is considered, however, that a 1.8m high privacy screen along the edge of the eastern Level 2 sun terrace will be a more effective measure to minimise overlooking than the 1.8m high timber privacy screen, as proposed, in the planted area adjacent to the footpath (Drawing 629DA_20_002A). Fixing external louvres to the common room windows at Levels 2 and 3 to a height of 1.8m above floor level, at the extremity of the south-western wing of the RCF building, to minimise downward looking would increase the level of privacy afforded to the rear of properties in Phoenix Place to the south. Additionally, an increased setback of the internal pathway from the southern boundary to provide opportunities for further landscaping in this area. Appropriate conditions of consent are contained within Appendix 'A' of this report.

Noise from garbage trucks using the driveway to access the Level 2 garbage/recycling/loading area and in particular the horn associated with reversing movements has not been addressed with respect to the noise levels within bedrooms both within the RCF building and self-contained dwellings adjacent to the driveways. Similarly, the design should also factor in noise associated with mechanical ventilation, heat pumps, air conditioning, etc. Accordingly, a recommended deferred commencement condition and other conditions are included within Appendix 'A' of this report.

Solar access and design for climate

Under Clause 35 of the Seniors SEPP, the proposed development should:

- "(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and*
- (b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction".*

Solar access has two aspects, the level of solar access afforded to the proposed residents internal to the site and also the level of solar access that is maintained to neighbouring properties external to the site. These aspects of the proposed development are discussed below with respect to the above standards.

Internal overshadowing results from the various parts of the development overshadowing other parts of the development. It should be noted however, that the Seniors SEPP, while it sets minimum 'non refusal' standards for solar access for seniors housing that are classed as "self-contained dwellings", it does not do so for "residential care facilities".

An analysis of the submitted shadow drawings for 21 June (the 'worse case' scenario) at 9am, 12 noon and 3pm in plan form indicates that approximately 70% of the self-contained dwellings receive at least three (3) hours of sunlight between 9am and 3pm on June 21 to their living areas and courtyards. While other dwellings may receive partial solar access to either the living areas and/or courtyards during these times.

The residents in the residential care facility are provided with a variety of common rooms, sitting areas and terraces to seek sun, shade or outlook, even if individual rooms may have limited or no solar access (i.e. south facing or overshadowed by the building itself). As such, an allowance for reduced sun access to units may be considered acceptable.

Cross flow ventilation is achievable within the self-contained dwellings, while the architect has advised that the RCF will be provided "*with openable windows throughout but particularly at the ends of corridors and lounges to provide the potential for good ventilation and crossflow ventilation*".

In relation to external overshadowing, the submitted shadow diagrams for 21 June indicates that the neighbouring properties to the east are unaffected by shadow from the RCF building between 9am and 12 noon. Accordingly, it is considered overshadowing of these properties is an insufficient reason to sustain a refusal of the application or request a redesign of the proposed development.

Stormwater

As a design principle, the proposed development should control and minimise the impacts of stormwater run-off. The applicant has submitted a concept stormwater drainage report that utilises an appropriate water treatment train, including bio-retention measures and rainwater tanks. This treatment train has been evaluated using a required digital model to demonstrate compliance with the water quality improvement objective for green field development within the Wallis Lake catchment as set out under *Great Lakes Development Control Plan No 54 - Water Sensitive Design* (refer Section 6.3.2 of the report under this heading).

Additionally, there is an existing stormwater pipeline currently discharging onto the northern side of the site from Kularoo Drive (opposite to the Pioneer Drive intersection). Prior to the commencement of construction, this pipeline will need to be diverted along Kularoo Drive so that it will drain into the existing open drain in Karloo Street.

Crime prevention

As design principles, under the Seniors SEPP the development should provide personal property security for residents and visitors and encourage crime prevention by:

- (a) *site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and*
- (b) *where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and*
- (c) *providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.*

The proposed development addresses both Kularoo Drive and Karloo Parade with windows, entries and courtyards orientated to the street, assisting in passive surveillance of the public domain. Courtyards around individual self-contained dwellings are provided with a 1.8m high fence, although no perimeter site fencing is proposed. Active surveillance is provided within the proposed residential care building with staffing arrangements and a common entry/reception lobby for the proposed development.

Additionally, the proposed development provides a common central entry from Karloo Parade to those self-contained duplex dwellings within the site serviced by the internal roadway. The proposed residential care building is proposed to be served by way of a separate driveway access for parking and servicing and a semi circular driveway/pedestrian access to the 'Port Cochere' main entry. The Port Cochere identifies the street entrance, and common entry from Kularoo Drive, which opens into a reception area. This main entry permits resident and visitor control to the RCF building.

Car parking is provided within the basement of the RCF building in excess of the requirements of the Seniors SEPP. In order to provide a safe environment for residents, staff and visitors this parking should have a remote operated security door and an intercom system connected to the office/reception area for visitors to gain entry. An appropriate condition of consent is contained within the Recommendation of the report.

Accessibility

Under the Seniors SEPP, the proposed development should:

- (a) *have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and*
- (b) *provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.*

An accessible walking path circulates throughout the site and links the self-contained dwelling 'village' to the rear of the RCF building. This also links to the Karloo Street entry and Kularoo Drive. The matter of safe and accessible routes to bus stops on Karloo Street and Kularoo Drive and the re-location of the bus stop to the front of the site on the southern side of Kularoo Drive are addressed by appropriate conditions of consent contained in Appendix 'A' of this report. Safe and accessible parking (with lift access) is provided within the basement car park as discussed above (refer heading "Crime prevention").

Waste Management

The waste/recycling store located within the Level 2 basement car park of the RCF building has been redesigned to allow this area to be used for the dual purposes of loading/unloading, as well as waste/recycling collection. A sketch drawing (629DA_90_100) has been submitted by the architect to show the redesigned area and demonstrate that it can be serviced by a 10.9m garbage truck entering and exiting the site in a forward direction, in compliance with the requirements of Australian Standard (AS) 2890.1. Council's waste contractor does not raise any issues with the revised access arrangements. It is considered that the amended waste/recycling storage room will adequately house the necessary front lift and recycling wheelie bins to service this part of the development. Appropriate conditions of consent are contained within the Appendix 'A' of this report to reflect this revised arrangement.

Each self-contained dwelling will be serviced by kerbside waste collection and those internal to the site will be accessed via the internal ring road. In order to allow an 8.8m long garbage truck to enter the site, it will be necessary to amend the splinter island associated with the proposed roundabout in Karloo Street to achieve the necessary turning circles and the required 2.5m wide

concrete footpath along the Karloo Street frontage. An appropriate condition of consent is contained within Appendix 'A' of the report to achieve these requirements.

Development standards that cannot be used as grounds to refuse consent

Clauses 48 and 50 of the Seniors SEPP provides development standards that cannot be used as grounds to refuse development consent for residential care facilities and self-contained dwellings respectively. Tables 3 and 5 below provide a compliance table for the subject development with respect to these standards.

Table 3: *Development standards that cannot be used to refuse development consent for residential care facilities*

	Standard	Proposal	Compliance
Building height	8m (maximum)	<ul style="list-style-type: none"> 2 storey component = 7.7m (maximum approximately) 3 storey component = 9.2m (maximum approximately) 4 storey component = 10.7m (maximum approximately) 	Yes No No
Density and scale	1:1 floor space ratio (maximum)	10,082m ² (approximately) = 0.34:1 (approximately) - refer Table 4 below for breakdown of areas by level	Yes
Landscaped area	25m ² (minimum) of landscaped area per residential care facility bed = 3600m ²	13,154m ² total over the entire site(approximately)	Yes
Parking	<ul style="list-style-type: none"> 1 parking space per 10 beds = 14.4 spaces. 1 parking space for each 2 persons employed and on duty at any one time = 21 spaces. (A total of 35.4 resident and staff spaces required)	<ul style="list-style-type: none"> A total of 83 spaces (including staff spaces) 1 ambulance space 	Yes
	<ul style="list-style-type: none"> 1 ambulance parking space 		

Table 4: *Residential care facility gross floor space*

Level	Gross Floor Area (m ²)
1	882.6
2	2123.7
3	4490.4
4	2315.4
5	270.5
TOTAL	10,082.6

Table 5: Development standards that cannot be used to refuse development consent for self-contained dwellings

	Standard	Proposal	Compliance
Building height	8m (maximum)	<ul style="list-style-type: none"> 1 storey component = 4m (maximum approximately) 2 storey component = 6m (maximum approximately) 	Yes Yes
Density and scale	0.5:1 floor space ratio (maximum)	0.18:1 (refer to Table 6 below)	Yes (refer to discussion below)
Landscaped area	35m ² per dwelling = 1750m ²	13,154m ² total per site (approximately)	Yes
Deep soil zones	15% of site area (two thirds preferably in the rear of the site) = 4500m ²	9,219m ² approximately = 30.73% (of which approximately 42% of the required 15% is located at the rear of the site)	Yes/No
Solar access	70% of dwellings (minimum) receive a minimum of 3 hours direct sunlight to living areas and private open space in mid-winter between 9am and 3pm	70% of dwellings (approximately) receive direct sunlight into both living areas and private open space between 9am and 3pm.	Yes
Parking	1 car space for each 5 dwellings = 10	60 resident spaces	Yes

Note: Standards for private open space only apply to "in-fill self-care housing" and not to "serviced self-care housing".

Table 6: Self contained dwellings gross floor space

Dwelling Type	Number of Dwellings	Number of Bedrooms	Number of Car Spaces	Total Number of Car Spaces	Gross Floor Area (m ²) (Approx)	Total Gross Floor Area (m ²) (Approx)
A	2	3	2	4	118.26	236.52
B	6	3	2	12	119.23	715.38
C	14	2	1	14	88.62	1240.68
D	22	2	1	22	95.13	2092.86
A2	2	3	2	4	197.70	395.40
C2	4	2	1	4	142.64	570.56
TOTAL	50			60		5251.40

Discussion

The proposed development consists of two separate accommodation types that comprise seniors housing on the site. There is no direction contained within the SEPP to divide the site into the component uses for the calculation of the above standards. Neither is there a direction to add

together the various figures for the different components in the calculation of floor space ratio. As an exercise, however, if the floor space for the RCF building and the self-contained dwellings were added together and expressed as a ratio over the entire site, the ratio would be 0.51:1 and this approximates the 0.5:1 requirement for the less intense form of development for self-contained dwellings. It should be noted that the landscaped area calculation has been taken over the entire site for both the RCF building and the self-contained dwellings, being 13,154m² and is well in excess of the figure required for both the RCF building and the self-contained dwellings if added together, being 5,350m². With respect to figure for the deep soil area, which is only a requirement for self-contained dwellings, the proposed area of 9,219m² is well in excess of the 4500m² required when taken over the entire site. The preference that two thirds be located in the rear of the site is based on an assumption of what constitutes the 'rear' of the site. Notwithstanding, the drainage reserve to the rear (south) of the site provides further separation and potential for deep soil planting as a 'green corridor' as done elsewhere along Council drainage reserves. An appropriate condition of consent to this effect is contained within Appendix 'A' of this report.

6.1.2 State Environmental Planning Policy No. 1 – Development Standards

As discussed above in the report under the heading "State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004", Clause 40(4)(a) of the Seniors SEPP requires that the proposed development must be 8m or less in height and under Clause 40(4)(b) must be not more than two (2) storeys in height adjacent to a site boundary. The proposed RCF building varies in height from between 2.7m and 10.7m and the building is three (3) storeys adjacent to the southern boundary and is, in part, three (3) storeys adjacent to the northern and eastern site boundaries (refer Table 7 below and Annexure 'D' - Height Analysis Diagram).

Table 7: Residential care facility height table

Wing	Storeys	Level	Floor level	Ceiling level	Ground level	Height
North						
	2	4	15.0	17.7	15	2.7m
	2	4	15.0	17.7	10.5	7.2m
	2	4	15.0	17.7	10.0	7.7m
	3	5	18.0	20.7	13.0	7.7m
	4	5	18.0	20.7	10.0	10.7m
Atrium						
	3	4	15	17.7	8.0	9.7m
South						
	3	2	12	14.7	9.0	5.7m
	3	3	12	14.7	6.0	8.7m
	3	3	12	14.7	5.5	9.2m

The applicant has submitted an objection under *State Environmental Planning Policy No. 1 - Development Standards* (SEPP 1) that argues that strict compliance with Clause 40(4) (a) and (b) of the Seniors SEPP is unreasonable and unnecessary. In assessing the applicant's SEPP 1 objection, the following matters are addressed:

(i) Whether or not the planning control is a development standard

Clause 40(4)(a) and (b) are development standards, being numerical controls on building height, contained in the Seniors SEPP as follows:

"(4) Height in zones where residential flat buildings are not permitted

If the development is proposed in a residential zone where residential flat buildings are not permitted:

- (a) *the height of all buildings in the proposed development must be 8 metres or less, and*

Note. *Development consent for development for the purpose of seniors housing cannot be refused on the ground of the height of the housing if all of the proposed buildings are 8 metres or less in height. See Clauses 48(a), 49(a) and 50(a).*

- (b) *a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and.*

Note. *The purpose of this paragraph is to avoid an abrupt change in the scale of development in the streetscape.*

(ii) The underlying object or purpose of the standards.

The objective of Clause 40 (4)(a) and (b) is not stated within the Seniors SEPP, however, given the notes to each point above, it is considered that the underlying purpose is:

- To maintain building heights consistent with the surrounding residential area
- To minimise adverse impacts to the amenity of adjoining properties.
- To ensure that the scale of new development is consistent with the streetscape character.

(iii) Consistency of the development with the aims of the policy

The aims of the policy is to provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in Section 5 (a) (i) and (ii) of the EP&A Act, which are to:

“encourage:

- i) The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment; and*
- ii) The promotion and coordination of the orderly and economic use and development of the land.”*

The proposal is considered to be consistent with the objects of the EP&A Act as it provides a consistent, holistic and integrated approach for the development of a large lot in an urban environment, which potentially could be subdivided into potentially 35 smaller allotments. The site is proposed to be developed for housing by a social housing provider, being a not-for-profit organization, which will, when fully developed, provide accommodation for an ageing population in one place without requiring relocation of aged people to other sites when a higher level of care is required, such as nursing homes and other facilities (i.e. the concept of "ageing in place"). This thus promotes a flexible approach to achieve the social and welfare outcomes required for an ageing community

and these outcomes are in increased demand. As such, it is considered that the proposal is consistent with the attainment of the objects specified in Section 5 (a) (i) and (ii) of the EP&A Act.

(iv) Whether compliance with the development standard is unreasonable or unnecessary with the circumstances of the case.

The applicant argues that compliance with the development standard is unreasonable and unnecessary in the circumstance of the case for the following reasons:

- The site is characterised by having steeper slopes at its eastern end than at its western end fronting Karloo Drive. The location of the self-care duplexes on the lower western end of the site is consistent with the built form on the western side of Karloo Drive that is characterised by single storey dwellings and scattered duplex developments. The large residential care building located at the eastern end of the site would have less visual dominance, due to the steep fall of the site, to the south-west (approximately 10m), away from Kularoo Drive. The design of the residential care building has been largely dictated by the site topography and the need to provide near level pedestrian access from Kularoo Drive. The central access building spine (on a north-south axis), which contains the highest points of the building (9.7m and 10.7m), is located approximately 40m and 50m from the eastern and southern boundaries of the site respectively.
- The height of the residential care facility is a function of the floor to floor heights required for residential care facilities (9c Building Class) i.e. a minimum 2.6m ceilings and the need to enclose services within ceiling areas.
- The self-care dwelling component of the proposed development is entirely in character with the existing streetscape of Kularoo Drive and Karloo Street, while the RCF building presents to the Kularoo Drive street frontage as a single and part two storey building, which is also in context with the streetscape of Kularoo Drive.
- The RCF building predominantly presents to the eastern boundary immediately adjacent to dwellings on adjoining properties as 2 storeys with heights of approximately 2.7m to 8m.
- At the rear of the site, a drainage reserve of approximately 19m in width provides a further separation distance between the RCF building and the single storey dwellings to the south.
- The highest parts of the RCF building on the lowest part of the site are well set back from neighbouring development, with landscaping to provide screening.
- The proposed RCF building is proportioned to retain domestic qualities, with substantial articulation of the facades and the stepping down of the building with the natural contours to reduce the visual bulk of the building. The proposed external finishes and colours further break the visual perception of building bulk.
- Solar access to adjoining dwellings is maintained for relevant mid winter times and there are no unreasonable amenity impacts on privacy and loss of views.
- Required separation distances are achieved, both on the subject site and to adjoining properties.

It is considered that lowering the building to fully comply with the maximum building height requirement of 8m adjacent to the eastern boundary, while resulting in a loss of under building carparking, would not substantially alter the associated impacts, that could

otherwise be ameliorated by the addition of a 1.8m high privacy screen to the edge of the sun terrace on the south-east wing of the building and other privacy measures where necessary - refer heading " Visual and acoustic privacy above in this section of the report4".

(v) Whether the objection is well founded.

In consideration of the above arguments, the following are considered relevant:

- The highest parts of the building are recessed from the building edges and are generally contained in the central portions of the building, with substantial separation to site boundaries and neighbouring residential properties, being approximately 38m and 67m to the eastern and southern boundaries respectively.
- Due to the steep fall in the topography of the site in the first 10m (i.e. 25% fall) adjacent to the northern boundary with Kularoo Drive, the proposed RCF building predominantly presents as a part one/part two storey building to Kularoo Drive, consistent with the Kularoo Drive streetscape.
- The drainage channel and reserve provide further separation of approximately 19m to residential properties to the south of the site and consequently there are no significant detrimental shadowing impacts associated with the proposed building height or number of storeys with respect to those properties.
- *State Environmental Planning Policy No. 6 - Number of Storeys in a Building* is unclear of what constitutes a storey other than by the provision of the same vertical line and its intersection through the different floors and levels of a building. As a guide therefore, *State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development* has been used for the determination of storeys, which would exclude those levels of a building that protrude less than 1.2m above existing ground level. Applying this to the proposed RCF building, it can be demonstrated that it is predominantly two (2) storeys and below 8m throughout its length (measured from existing ground levels) adjacent to the eastern site boundary (refer Height Analysis Plan in Appendix 'D'). It is predominantly only three (3) storeys and above 8m along the southern site boundary, on the western side of the building internally to the site and for a small section of the south-eastern corner of the site adjacent to the eastern site boundary. Appendix 'D' contains a height analysis plan for both the storeys and height of the proposed RCF building and this shows the following:
 - The height of the proposed RCF building immediately adjacent to 160 Kularoo Drive varies between 2.7m and 5.7m above existing ground level and is between one (1) and two (2) storeys.
 - The height of the proposed RCF building immediately adjacent to 10 Bangalow Place varies between 6.2m and 7.7m above existing ground level and is two (2) storeys.
 - The height of the proposed RCF building immediately adjacent to 12 Bangalow Place varies between 5.2m and 8.7m above existing ground level and is between two (2) and three (3) storeys.
- The separation distance between the proposed RCF building and the eastern boundary of the site varies between 4m and 6.8m approximately at the closest points of the building to the boundary, with an approximate setback of 35m to the central building portion/atrium. It should be noted that under *Great Lakes Development Control Plan No. 46 - Single Dwelling and Dual Occupancy* (DCP 46), which would otherwise apply to single dwelling houses and dual occupancy development on the site (and neighbouring properties), a building height of 8.5m (two storeys) above

existing natural ground level at any point would apply, with the following building setbacks:

Side boundary setback

- A minimum of 900mm for a building with a maximum wall height of 3.8m.
- A formula applies where the building height is greater than 3.8m, being 900mm plus the building height over 3.8m divided by 4.

Applying the setback formula to the eastern (side) boundary for the proposed RCF building wall heights, the minimum setback required varies between 900mm and 1875mm for the northern wing and between 1375mm and 2125mm for the southern wing. The proposed RCF provides setbacks well in excess of these minimums being 4000mm and 5400mm approximately for the northern wing and 6510 and 6810 for the southern wing.

Rear boundary setback

- A minimum of 3m for a building with a maximum wall height of 3.8m.
- A formula applies where the building height is greater than 3.8m, being 3m plus the building height over 3.8m divided by 4.

Applying the setback formula to the rear (southern) boundary for the proposed RCF building wall heights, under DCP 46 the required minimum setbacks vary between 4225mm and 4350mm, with the proposal providing minimum setbacks of approximately 4m.

- The two building wings are well articulated and are angled to achieve an approximate separation of 22m and 36m approximately to the eastern boundary at the deepest point and 21m approximately to the southern boundary at the deepest point. Landscaping is proposed in the building setbacks and this is proposed to be undertaken as part of Stage 1 construction works, in order for it to be well established prior to the commencement of construction of the RCF in Stages 5 and 6.
- While the proposed RCF building presents a fairly continuous pattern of fenestration along its eastern elevation, the rooms are orientated at an angle to the eastern boundary and there are no upper floor balconies. The built form and façade are well articulated and with the planned landscaping within the building setbacks to the eastern boundary, the visual impact is considered acceptable. Further there is no substantial overshadowing associated with the increased height that would warrant refusal of the application.

Therefore, having regard to the above points, it is considered that the SEPP 1 objection should be supported. As such the Director-General's concurrence may be assumed in accordance with Planning Circular B1.

6.1.3 State Environmental Planning Policy No. 71 – Coastal Development

State Environmental Planning Policy No. 71- Coastal Development (SEPP 71) applies to all land within the coastal zone as defined in the *Coastal Protection Act 1979* and accordingly applies to the subject site to the extent of requiring Council to consider the matters listed in Clauses 8 and 16 of the Policy. The proposal is considered to be consistent with the aims of the Policy and the matters for consideration under Clause 8 for the following reasons:

- The proposal does not impact on existing or potential public access to a coastal foreshore.

- The layout of buildings on the site has been designed in accordance with the site topography and to minimise impacts to surrounding development.
- The development is proposed to be located on a site that does not impact on a coastal foreshore and is not visible from a coastal foreshore.
- The development does not impact on the scenic qualities of the coast and is a high quality design for the types of building proposed, with its bulk, scale and size considered acceptable for its location.
- The proposed development will not impact on any threatened species or their habitats or existing wildlife corridors.
- The site is located in an area that will not be affected by flooding or erosion as a result of coastal processes, including the predicted impacts associated with climate change.
- The proposal will not conflict with water-based coastal activities.
- The inclusion of bio-retention stormwater treatment devices will ensure that stormwater run-off from the development site will not impact on the water quality of coastal waterbodies.
- The site does not contain any items of European heritage significance or Aboriginal heritage significance of which Council is aware.
- The proposed development will not contribute to a detrimental cumulative impact on the environment.
- The proposed development is located to reinforce a compact town, being in close proximity to required services and facilities to meet the targeted population.

In accordance with the matters, outlined above, the proposal is considered consistent with the aims of SEPP 71.

6.1.4 State Environmental Planning Policy (Building Sustainability Index) 2004

State Environmental Planning Policy (Building Sustainability Index) 2004 (BASIX SEPP) applies to all new housing developments in New South Wales (but not to the RCF building) and requires that they be designed to use less potable water and be responsible for fewer greenhouse gas emissions by setting energy and water reduction targets. The BASIX SEPP must be read in conjunction with the Environmental Planning and Assessment Regulation 2000, which requires that a development application must be accompanied by a BASIX certificate. The submitted BASIX certificate stipulates commitments that must be shown on the development application (DA) plans at the DA stage and/or on the construction certificate (CC) plans with the CC. In this regard, it is considered that the application is satisfactory.

6.1.5 Great Lakes Local Environmental Plan 1996

The site is zoned 2(a) (Low Density Residential Zone) under the provisions of the *Great Lakes Local Environmental Plan 1996*, as amended (LEP) - refer Figure 3 below. In accordance with the Development Control Table contained within Clause 8 of the LEP, the attached self-care dwellings are characterised as "multiple dwellings", while the residential care facility is characterised as a "hostel", both of which are permissible within Zone No 2(a) (Low Density Residential Zone), subject to development consent. The Dictionary in the LEP provides the following definitions for each:

Multiple dwellings means a building or buildings consisting of 2 or more dwellings (whether or not attached) on one allotment of land, each with an individual entrance

and direct private access to ground level open space, and includes villas, townhouses, terraces, cluster housing and the like.

Hostel means a building where accommodation and meals or kitchen facilities are provided to the residents whether or not on a shared basis and where a person with nursing or social work experience, or other similar experience, maintains and provides services for the occupants of the building on a full-time basis.

It is apparent from the previous discussion within this report in relation to the Seniors SEPP that the proposed development fits within the above definitions.

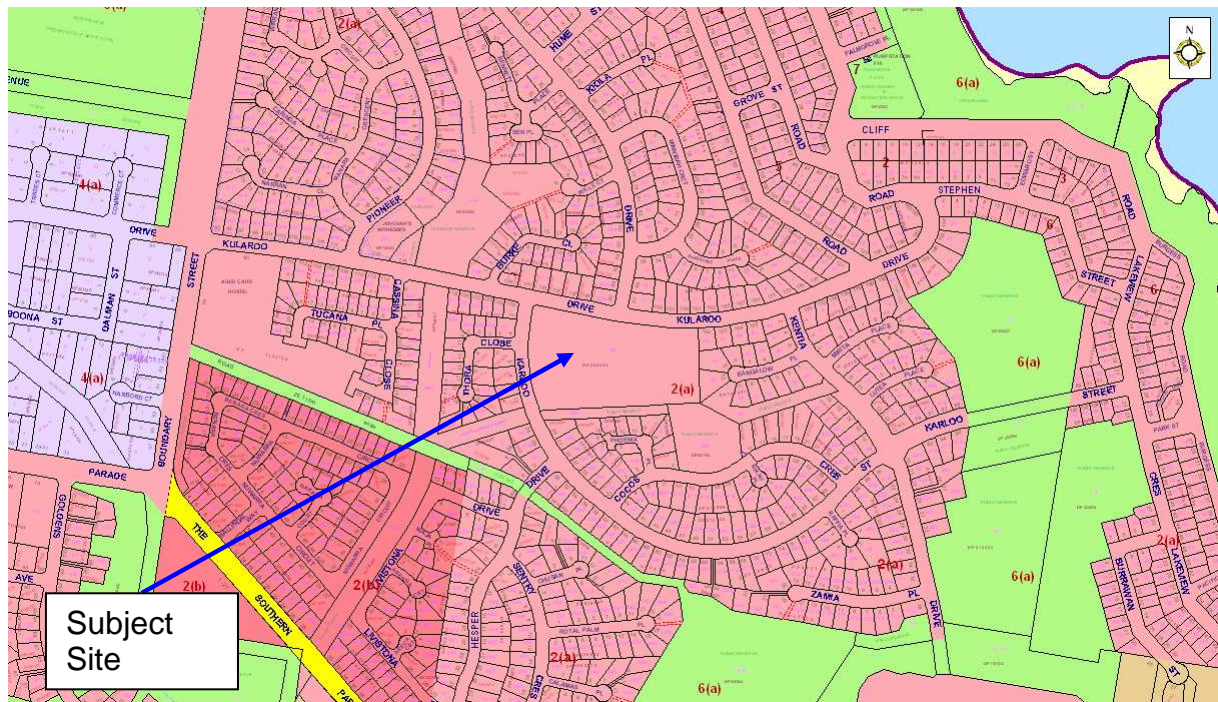


Figure 3: Zoning map

Clause 8 of the LEP provides that consent must not be granted for development on land within a zone unless it has taken into consideration the aims of the LEP and the consent authority is satisfied that the development is consistent with at least one or more of the objectives of the zone within which the development is proposed to be undertaken. The aims of the LEP are contained in Clause 2(1) of the LEP and are:

- (a) to provide an updated and simplified plan for the area of Great Lakes, and
- (b) to protect and enhance the environmental qualities of the area, and
- (c) to facilitate the orderly and economic development of land within the area, and
- (d) to promote the well-being of the area's population.

The objectives of Zone No 2(a) (Low Density Residential Zone) are:

- (a) Objective (a) to enable residential development so that buildings within the zone will consist primarily of housing that generally does not exceed a height of 2 storeys and has private gardens.
- (b) Objective (b) to enable other development which:
 - (i) is compatible with a low density residential environment, and

- (ii) *affords services to residents at a local level, and*
- (iii) *is unlikely to adversely affect the amenity of residential development within the zone, and*
- (iv) *is unlikely to place demands on services beyond the level reasonably required for low-scale housing development.*

The self-contained dwellings are a form of residential development. The buildings presentation to both Karloo Parade and Kularoo Drive consist primarily of one storey buildings that are set within a landscape setting to provide future residents access to the private courtyard gardens. The self contained dwellings themselves, are either one storey or one story/part two storey buildings.

The RCF building is development other than residential development and varies between having two, three or four storey components. It provides a residential housing service at a local level and it is considered not to adversely affect the amenity of surrounding residential development, subject to appropriate conditions of consent. Further, it is unlikely to place demand on local services beyond that reasonably required for low scale housing in the area, as GLAICA will be the predominant provider of the services required for the residents of the RCF building. Notwithstanding, the proposal is permissible within the 2(a) Zone under the Seniors SEPP and is subject to a SEPP 1 objection in relation to those portions of the building that exceed 8m in height and two storeys adjacent to the site boundaries (refer Section 6.1.2 of this report under the heading State Environmental Planning Policy No. 1 - Development Standards).

Clause 10 of the GLLEP 1996 applies with regard to the making of tree preservation orders, such that if a tree preservation order applies to any tree, then the consent of Council is required to remove that tree. In this regard, all existing trees on the site within the development footprint may be removed as part of the development consent, although the Cabbage Tree Palm in close proximity will need to be relocated on the site and two (2) Tallowood Trees within proximity of the building footprint adjacent to the eastern site boundary will require protection measures. Appropriate conditions are contained in Appendix 'A' of this report.

Clause 11 of the GLLEP 1996 applies to land form modification in order to control soil erosion, sedimentation and drainage impacts associated with land form modification, requiring development consent for filling or excavation of land except where the development will, in the opinion of the Council, not significantly affect the natural and existing built environment. Appropriate conditions to address drainage, soil erosion and sedimentation are contained in Appendix 'A' of this report.

Clause 12 of the GLLEP 1996 has the objective to ensure that all development has adequate water and sewerage services. As such development consent must not be granted unless an adequate water supply and facilities for the removal of sewage and for the drainage of the land are available to the land, or satisfactory arrangements have been made for the provision of their supply. In this regard MidCoast Water, the responsible authority for water and sewerage services, has advised by letter dated 27 March 2013 that the proposed development can be served by reticulated sewer mains and reticulated water mains. Appropriate conditions of consent as provided by MidCoast Water are contained in Appendix 'A' of this report.

6.2 Draft Environmental Planning Instruments - [Section 79C(1)(a)(ii)]

6.2.1 Draft Great Lakes Local Environmental Plan

The *Draft Great Lakes Local Environmental Plan 2012* (the Draft LEP) was exhibited between 14 June 2012 and 24 August 2012. The Draft LEP, now known as Draft LEP 2013, has been adopted by Council and is currently with Parliamentary Counsel's Office.

Under the exhibited draft, the land is proposed to be zoned R2 Low Density Residential. The proposed development would be characterised as 'multi dwelling housing' and an 'hostel', both of

which are permissible forms of development in the R2 Zone, with the following definitions applying:

"multi dwelling housing means 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"

"hostel means premises that are generally staffed by social workers or support providers and at which:

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and*
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis".*

The objectives of the R2 Low Density Residential Zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provides facilities to meet the day to day needs of residents.*

The purpose of the Draft LEP is to update the existing local environmental plan (*Great Lakes Local Environmental Plan 1996*) to be consistent with the *NSW Standard Instrument - Principal Local Environmental Plan* introduced by the State Government in March 2006. The resulting Draft LEP contains both compulsory State-wide controls and draft local controls transitioned from existing planning documents. The relevant development standards in the Draft LEP are contained in Table 8 below.

Table 8: *Development Standards - Draft Great Lakes Local Environmental Plan 2012*

Development Standard	Requirement	Proposal	Compliance
Clause 4.3 - Maximum height of buildings	8.5m	6m - Self contained dwellings 10.7m - Residential care facility	Yes Partial compliance/non compliance
Clause 4.4 – Floor space ratio	0.5:1	0.17:1 - Self contained dwellings 0.36:1 - Residential care facility	Yes Yes

The proposal provides for the housing needs of a section of the community (aged care accommodation) that require varying levels of care and support services as part of an integrated and holistic approach to the development of the site. This allows people to transition from independent living in self-care accommodation (generally single storey duplex housing) to the multi-level residential care facility, when higher levels of care (including dementia care) are required to meet their day to day needs. As such, it is considered that the proposed development is not inconsistent with the proposed zone objectives, having regard to the provisions of the Seniors SEPP, which aims to set aside local planning controls that would prevent the development for seniors or people with a disability that meets the development criteria and standards specified in that policy and which are previously discussed in this report under that heading.

6.3 Development Control Plans - [Section 79C (1) (a) (iii)]

6.3.1 Great Lakes Development Control No. 30 - Residential - Urban Areas

Great Lakes Development Control No. 30 - Residential - Urban Areas (DCP 30) applies to the subject development as a form of urban housing covered by the plan, being the self-contained duplex component of the proposal but not the residential care facility. The Seniors SEPP has, as one of its aims, the setting aside of local planning controls that would prevent the development of housing for seniors or people with a disability that meet the development criteria and standards set out in the Seniors SEPP. DCP 30 should therefore be used as a guide only for those areas where there is no specific control, standard or criteria within the SEPP and where it is not inconsistent with the attainment of the aims of the SEPP. Table 6 below provides a compliance table for the proposed self-contained dwellings with respect to the various key numerical controls of DCP 30.

Table 9: Compliance table - Development Control No. 30 - Residential - Urban Areas

Control	Proposed	DCP 30	Compliance
Height (maximum)	<u>2 storey</u> 6m	<u>2 storey</u> 7m	Yes
FSR (maximum)	0.17:1	0.4:1	Yes
Front setback (minimum)	6m Kularoo 7.3m (minimum) Karloo	6m	Yes Yes
Side and rear setbacks	<u>East</u> 8m - 20m (internally to RCF building)	0.9m	Yes
	<u>Rear (south)</u> 2.05m (minimum)	0.9m	Yes
Private open space	Dwelling Types (approximately) A = 36m ² B = 121m ² C = 98m ² D = 32m ² A2 = 70 ² + 34m ² C2 = 60m ² + 23m ²	<u>Ground level</u> 35m ² per dwelling with one dimension 4m	General compliance - refer below in report
Parking	60 spaces + 3 visitor spaces	60 spaces + 11 visitor spaces	General compliance - refer below in report

Discussion

The proposal for self-contained duplexes generally achieves compliance with the requirements of DCP 30. All dwelling types have private courtyards in excess of the minimum area (and dimensions) required under DCP 30, apart from Dwelling Type 'D' for which there is only a minor numerical area non compliance of 3m². Three (3) visitor parking spaces, including two (2) spaces for people with a disability are provided adjacent to the clubhouse, however, there is sufficient space for visitors to park on the driveways in front of duplexes fronting Karloo Street and Kularoo

Drive (28 spaces), as well as on the internal road. Accordingly, the proposal is considered acceptable in relation to DCP 30 controls.

6.3.2 Great Lakes Development Control Plan No. 54 - Water Sensitive Design

Great Lakes Development Control Plan No. 54 - Water Sensitive Design (DCP 54) provides controls for both small and large scale developments for the application of water sensitive design principles in order to:

- protect and enhance natural water systems;
- protect and enhance water quality by improving or maintaining the quality of stormwater run-off;
- minimise the harmful impacts of development upon surface and ground water;
- integrate stormwater management systems into the landscape;
- reduce potable water demand.

The proposed development is classified as a large scale 'greenfield' development under DCP 54, with the site being situated within the Pipers Creek sub-catchment of Wallis Lake. *The Great Lakes Water Quality Improvement Plan, 2009* (WQIP) identifies Wallis Lake as being sensitive to increase in nutrient loading. The WQIP and DCP 54 established a neutral or beneficial effect water quality objective for greenfield development within the Wallis Lake catchment.

The submitted water quality assessment prepared by Coastplan Consulting acknowledges the water quality objective requirement for the development and utilises an appropriate treatment train that has been evaluated using a required Model for Urban Stormwater Improvement Conceptualisation (MUSIC model) to demonstrate compliance. Given the scale of the development and sensitivity of the receiving waters, the submitted MUSIC model and Concept Stormwater Drainage Report has been peer reviewed resulting in revisions and refinements to the stormwater concept and MUSIC model. The MUSIC model now satisfactorily demonstrates that compliance with the requirements of DCP 54 can be achieved with the proposed stormwater quality treatment train.

The following measures are included within the stormwater treatment train:

- (a) Rainwater tanks for each dwelling unit plumbed for reuse particularly toilet flushing and landscape watering.
- (b) Stormwater tanks from the roof of the RACF component for reuse particularly toilet flushing and landscape watering.
- (c) Three (3) bioretention systems:
 - (i) Western bioretention basin to treat runoff from duplex dwellings as part of stages 1-7 with a minimum size of 450 m².
 - (ii) Central bioretention basin to treat runoff from stage 5 with a minimum size of 175m².
 - (iii) Eastern bioretention basin to treat runoff from stage 6 with a minimum size of 175m².
- (d) Five (5) gross pollutant traps within the internal drainage system to remove gross pollutants at the end of each stormwater drainage line prior to discharge into the bioretention basins.

Appropriate conditions of consent are contained within Appendix 'A' of the report to ensure achievement of the measures as modelled, including:

- rainwater tanks with adequate storage capacity and appropriately plumbed;
- gross pollutant traps;

- stormwater bio-retention systems - suitably designed and constructed for the relevant stages proposed for the development, including as temporary sediment basins as necessary during civil construction works; and
- on-going management.

6.3.3 Great Lakes Development Control Plan No. 67 - "Waste-Not"

Great Lakes Council Development Control Plan No. 67 - "Waste-Not" (DCP 67) seeks to facilitate sustainable waste management within the Great Lakes Council local government area through waste minimisation and waste management strategies, both during and following construction. A Site Waste Minimisation and Management Plan in accordance with Appendix A of the DCP has been submitted and is considered acceptable.

6.4 Planning Agreements and Draft Planning Agreements - [Section 79C(1)(a)(iia)]

There are no planning agreements or draft planning agreements that have been entered into under section 93F of the EP&A Act.

6.5 Matters Prescribed by the Regulations - [Section 79C(1)(a)(iv)]

6.5.1 NSW Coastal Policy 1997

The *NSW Coastal Policy 1997* (the Coastal Policy) applies to the coastal zone as defined in the *Coastal Protection Act 1979* and is a 'prescribed matter' under Section 79C (1)(a)(iv) of the EP&A Act. The Coastal Policy contains a detailed range of objectives and strategic actions for coastal zone planning and management. The relevant objectives are:

- *To improve water quality in coastal and estuarine waters and coastal rivers where it is currently unsatisfactory and to maintain water quality where it is satisfactory* (Objective 1.3).
- *To design and locate development to complement the surrounding environment and to recognise good aesthetic qualities* (Objective 3.2).
- *To encourage towns to reinforce or establish their particular identities in a form which enhances the natural beauty of the coastal zone* (Objective 3.3).
- *To promote compact and contained planned urban development in order to avoid ribbon development, unrelated cluster development and continuous urban areas on the coast* (Objective 6.2).

The development is considered to be consistent with the above objectives of the Coastal Policy for the following reasons:

- The discharge of untreated stormwater from the site to Wallis Lake catchment is minimised through appropriate water treatment strategies, such as rain water tanks and bio-retention systems (refer Section 6.3.2 of this report).
- The proposal is well located to take advantage of existing urban infrastructure and ensue a compact town form.
- The proposed development has sufficient landscaped area to complement and blend the built form with the surrounding residential environment and coastal location.

6.6 Coastal Zone Management Plans - [Section 79C(1)(a)(v)]

There are no relevant coastal management plans that apply to the site.

6.7 The Likely Impacts of the Development - [Section (1)(b)]

6.7.1 Traffic, Transport, Parking and Access

The proposed development has separate vehicle access, internal circulation and parking arrangements servicing the site as follows:

- Ten (10) villas with direct vehicle driveway access to Kularoo Drive.
- Eight (8) villas with direct vehicle driveway access to Karloo Street.
- 32 villas and a club house with access off the internal road system that connects to Karloo Street. A roundabout is proposed at the intersection of Karloo Street and Thora Close to service the internal road.
- The RCF building is proposed to have a total of 83 vehicle parking spaces, 76 of which that are serviced from Kularoo Drive by way of a driveway that splits into two within the site. One arm of the driveway accesses the northern wing of the RCF that has a loading bay/waste and recycling room to be serviced by a 10.9 long garbage truck and an underground parking level containing another loading bay. The other arm of the driveway provides access to parking servicing the southern wing of the RCF building.
- At the Karloo Drive building frontage, a semi-circular driveway provides an entry and exit to a ambulance bay and seven (7) vehicle parking spaces adjacent to a 'Porte Cochere' building entry.

The roads directly serving the site are Kularoo Drive and Karloo Street, both of which have a bitumen sealed carriageway. Kularoo Drive is a collector road and has kerb and guttering, while Karloo Street is a local access road with only 20m of kerb and gutter along the development site frontage (approximately 160m).

The application was referred to Council's Traffic Advisory Committee. The Traffic Advisory Committee raised no objection to the proposal subject to the following:

- (a) Relocation of the bus stop on Kularoo Drive to the entrance of the RCF building and for it to be upgraded to comply with the disability standards for accessible transport, including the installation of a bus shelter.
- (b) The bus stop on Karloo Street fronting the development to be upgraded to comply with the disability standards for accessible transport.
- (c) A raised entry treatment on the side road at the intersection of Kularoo Drive and Karloo Street installed, in order to facilitate pedestrian and mobility scooter movement across the intersection.
- (d) Traffic calming devices in the form of kerb blisters and associated landscaping is installed along Kularoo Drive to reduce vehicle speeds and increase the safety of vehicles exiting the site.
- (e) A 2.5m wide shared path to be installed along both property frontages.
- (f) Bicycle parking to be provided according to Council's Parking Policy.
- (g) On-site car parking to be provided in accordance with AS 2890.1, AS 2890.2 and AS 2890.6.
- (h) An application is made to Council's Traffic Advisory Committee in relation to the installation of the proposed roundabout at Karloo Street and Thora Close.
- (i) The use of "double driveways" on Kularoo Drive and Karloo Street is not supported.

It should be noted that the "double driveways" on Kularoo Drive and Karloo Street have been reduced to single driveway street crossings on the latest amended plans for determination.

The above matters and the following issues have been discussed with Council's Development Engineer:

- (i) To minimise traffic conflict, the driveway servicing the Port Cochere is to have a one way direction east to west. Parking space No. 1 (adjacent to the Port Cochere) will need to be deleted, as a vehicle reversing out of this space will need to travel over the Council footpath before being able to exit the site in a forward direction.
- (ii) The splinter island associated with the proposed roundabout at the intersection of Karloo Street and Thora Close requires amendment to allow for the provision of a 2.5 m wide concrete footpath along Karloo Street site frontage and to suit the turning circle for an 8.8m long garbage truck to enter the site from Karloo Street and service villas internal to the site.
- (iii) In order to allow the required 10.9 m long garbage truck and commercial vehicles to service the RCF building and enter and exit the site in a forward direction along the internal driveway off Kularoo Drive in accordance with the relevant Australian Standard (AS) 2890.2, the architect has provided an amended driveway/loading bay detail drawing (Drawing No. 629DA_90_100).
- (iv) The applicant will be required to construct a 2.5 m wide footpath along the site frontages of Karloo Street and Kularoo Drive.
- (v) The applicant will be required to construct bus shelters in compliance with Commonwealth Disability Standards for Accessible Public Transport in the following locations:-
 - Karloo Street: on both sides of Karloo Street - adjacent to No. 25 Karloo Street. Note that as the existing bus shelter on Karloo Street frontage will not conform to disability standards for accessible transport, the bus shelter and associated concrete slab will need to be reconstructed.
 - Kularoo Drive: with the 2.5 m wide footpath and the narrow footpath reserve, the bus shelter will be required to be constructed within the development site adjacent to the boundary with 160 Kularoo Drive and clear of the 1 m wide electrical easement that burdens the site. The applicant will be required to create an associated right-of-way around the shelter, construct relevant bus zone signage, paving and tactile markings.
- (vi) Road dedication will be required over the access road to the self-contained dwellings part of the site (i.e. adjacent to the proposed roundabout at the intersection of Karloo Street and Thora Close). Road dedication is estimated to be 15.5m x 8m with 3m splay corners.
- (vii) Landscaping/ vegetation reduced to maximum 500 mm high (adjacent to the roundabout for sight distance of pedestrians and vehicles).
- (viii) Three (3) x Class 2 bicycle compounds and five (5) x Class 3 rails in accordance with AS 2890.3 Bicycle Parking facilities will be required for the RCF building.

6.7.2 Visual Impact and the Public Domain

As previously identified in this report, the built form streetscape appearance is predominantly of a one to two storeys, with the self-contained dwellings presenting as one storeys to the street and

the RCF building along the Kularoo Street frontage presenting as one to two storeys due to the steep fall of the land away from this frontage. Perspectives are contained in 'F' of this report.

The three/four storey form of the RCF building will be apparent when viewed across the site from the east and south-east. These views, however, will be in the context of site landscaping. The built form and massing of the RCF is highly articulated, with an earth tone palette of material colours and a variety of finishes. Accordingly, it is not considered that the proposed view of the RCF building will not be overly dominant within the urban landscape, with the view across to the RCF building punctuated with trees within the proposed landscaping, which will also serve to break down the scale of this building. The use of 'Surfmist' colorbond roofing material, however, has been found to be too reflective within the coastal environment and a recommended condition within Appendix 'A' is for an alternative non-reflective colorbond colour to be used for the roof.

6.7.3 Drainage and Water Quality

There is a 450mm diameter stormwater pipeline that is currently discharging onto the northern side of the site from Kularoo Drive (opposite to the Pioneer Drive intersection). A drainage easement has not been created downstream of this pipeline. Prior to commencement of construction Council will need to divert this pipeline along Kularoo Drive and drain it into the existing open drain in Karloo Street (near Kularoo Drive).

For the water quality management of stormwater runoff from the site, the applicant has submitted a stormwater drainage concept plan that uses rainwater tanks, gross pollutant traps and three (3) bioretention basins to be located adjacent to the southern site boundary. The western bioretention basins is proposed to treat run-off from self-contained dwellings constructed during Stages 1 - 7, the central and eastern bioretention basins are proposed to treat run-off from the RCF building constructed during Stages 5 and 6 respectively. A MUSIC model has been submitted that satisfactorily demonstrates that the nutrient and pollutant load from the run-off can be effectively treated in accordance with the water quality objective for greenfield development within the Wallis Lake catchment (refer Section 6.3.2 of this report "Great Lakes Development Control Plan No. 54 - Water Sensitive Design"). Appropriate conditions of consent are contained in Appendix 'A' to ensure compliance and on-going management of the stormwater system.

6.7.4 Flooding and Climate Change

Mainstream flooding from Wallis Lake is estimated to be at Reduced Level (RL) 2.7m taken at Australian Height Datum (AHD) for the 1 in 100 year flood event. This level includes the current estimate for sea level rise to the year 2100. Within the development site the lowest habitable ground floor level is RL 4.05m AHD (Villas 17 and 18). As the minimum habitable floor level is 1.3m above the 1 in 100 year flood level, the development site is not adversely affected by mainstream and local flooding including climate change to the year 2100.

6.7.5 Utilities

The site is capable of providing all necessary services. Electricity substations may be required to augment the existing underground electricity around the perimeter of the development site. The applicant will need to liaise with Essential Energy and any substations will be required to be located within the development site, with appropriate landscape screening and be shown on the final landscape plans. Any required conduits must be coordinated with the construction of the required concrete footpath. It should also be noted that there is an existing electricity easement located partly along the Kularoo Drive frontage. The required bus shelter on the development site will need to be clear of the 1m wide electrical easement. Appropriate conditions of consent are contained within Appendix 'A' of this report.

Council is in receipt of a Notice of Determination from MidCoast Water, dated 27 March 2013, advising that the site can be served by an extension to MidCoast Water's sewer mains and water mains. Appropriate conditions of consent are contained within Appendix 'A' of this report.

6.7.6 Noise

Potential noise issues arise internally within the development site with respect to servicing the RCF building by garbage trucks (vehicular movements and reversing horn), both to resident rooms in the RCF building above/near the garbage loading bay and self-contained dwellings adjacent to the reversing bays, in particular Self-contained Dwellings Nos. 1, 33 and 34. An appropriate deferred commencement condition for any necessary required noise attenuation measures is contained in 'A'. Conditions of consent relating to potential noise from mechanical ventilation, air conditioning, heat pumps, etc, are also contained within Appendix 'A'.

6.7.7 Soils

The site as mapped on the Acid Sulphate Soils Risk Map indicates that Class 3 Acid Sulphate Soils are located in the south-western corner of the site, being potential acid sulphate soils at a depth below 1m from natural surface level and Class 5 soils on the remainder of the site, being soils that are only at risk if there is a likely potential to lower the water table on adjacent Class 1, 2, 3 or 4 soils within 500m of the site.

A geotechnical report, by Regional Geotechnical Solutions, dated 15 January 2013, has been submitted with the application. This report identifies that the site was investigated, including the excavation of thirteen test pits and laboratory testing of selected soil samples. The tested samples were not actual or potential acid sulphate soils and as such the report concludes that an acid sulphate soils management plan is not required. No adverse issues relating to ground water were identified as part of the geotechnical investigation and consequently the proposed development is not considered to have an adverse effect on downstream properties. Appropriate conditions for the management of site ground water, stormwater quantity and quality of stormwater drainage runoff are included in Appendix 'A'.

6.7.8 Flora and Fauna

The site has been substantially modified and maintained for a long-period of time. It supports scattered native trees including Cabbage Tree Palm, Swamp Oak, Red Bloodwood, Bangalay and Wattle above a highly modified understorey of maintained, exotic grasses. No endangered ecological communities (EECs) or evidence of any threatened species have been identified on the subject land. No threatened species or threatened populations are expected to rely on the habitats present on the land. The site is within the area of the important local Squirrel Glider population, but this site is not considered likely to provide important connecting shelter or foraging habitat for this species.

The proposed development will result in a loss of seven (7) out of 27 trees existing on the site, however, this is not considered to be a significant impact to threatened biodiversity in this urban context. A *Tree Assessment and Protection Recommendations* report by Syncarpia Vegetation Management Pty Ltd was submitted following a request from Council dated 28 February 2013.

A number of trees that occur in close proximity to the proposed development are proposed for retention. In particular, the proposed development footprint is 3m from two (2) Tallowoods of fair/good health located approximately 5m from the eastern site boundary adjacent to 10 Bangalow Place. As well, it is proposed to translocate a significant Cabbage Tree Palm of good health, which is within the RCF development footprint.

Residents to the east and south of the site have raised issues regarding the impact of the proposed RCF building to their visual amenity and as such, it is considered important to conserve and protect existing periphery trees, particularly the two (2) Tallowoods adjacent to the eastern boundary, which will provide and add to a vegetated landscaping buffer between the proposed development and adjoining dwellings.

It should be noted that the Site Cut and Fill Plan (Drawing No. 629DA_10_105) references expedited planting along the eastern boundary at Stage 1. It is considered that this should also occur along the southern site boundary at the same time, along with increased vegetative screens and that these plantings should be protected and maintained during all stages of construction. Appropriate conditions of consent are contained within Appendix 'A'.

A landscape concept design has been submitted with the application that includes a 'garden walk' footpath circuit that provides access and amenity to the self-contained dwellings, a central open space adjacent to the community building for recreational purposes, which will also act as a 'hub' for the residents, as well as private courtyard gardens attached to the self-contained dwellings. The RCF building provides several outdoor terrace areas and a central landscaped activity area between the two wings of the RCF building. Complimentary to the residential landscapes are three (3) bioretention areas along the southern edge of the site to treat and contain stormwater run-off prior to its entering the wider drainage system.

Contrary to the statement in the Landscape Design Report that there is an "emphasis of native trees supplemented by deciduous exotic species....the majority of shrubs and groundcovers are native", an assessment of the proposed plant schedule indicates the following:

- Less than 50% of the proposed trees are native;
- Less than 10% of the proposed shrubs are native; and
- Approximately 20% of the proposed groundcovers are native.

In addition to the apparent low proportion of native species proposed, the selection of proposed species include many cultivars and exotic weeds that are serious environmental weeds, such species include, but are not limited to Canna Lilly and Tradescantia cultivars.

A deferred commencement condition is included in Appendix 'A' of this report for the landscaping plan to be amended to incorporate predominantly native species of the Forster area, not exotics or native cultivars. As well conditions of consent are recommended for an amended transplantation plan for the Cabbage Tree Palm and a final tree management plan.

Street trees will generally be required to be planted adjacent to each villa within Karloo Street. In Kularoo Drive there will be a restricted area for any street trees due to the construction of a 2.5 m wide footpath in the nature reserve. Street trees will therefore be required to be planted within the eight (8) kerb islands that are required to be constructed along Kularoo Drive as part of the required traffic calming measures associated with the proposed development. Tree planting along the drainage reserve to the south will also help screen and blend the development into the area. Appropriate conditions to reflect these requirements are contained within Appendix 'A'.

6.7.9 Privacy

Visual and acoustic privacy have been addressed previously in Section 6.1.1 of this report under the heading State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. It is considered that the impacts arising from overlooking can be mitigated with appropriate screening, in particular with respect to adjoining properties to the east. In this regard, a substantial separation is provided by the angled orientation of the RCF building wings and deep recesses, which provide planting opportunities for vegetative screening. The following should be noted that with regard to the relationship of the proposed RCF building and adjoining properties to the east and south, which mitigate the associated privacy concerns:

- Two (2) accommodation levels of the RCF building are orientated to 160 Kularoo Drive, one of which at RL 12 is below the level of the deck (RL 14.89) of 160 Kularoo Drive, the other accommodation level at RL 15 is at similar level as the deck and there is approximately 11m separating the window of the closest room in the RCF building to the deck.
- Rooms in the RCF building in closest proximity to the pool area of 10 Bangalow Place are orientated away from this area and there is an approximately 23m separation between the

closest room in the RCF building to the dwelling house at 10 Bangalow Place, which will be screened by the retention of the two (2) existing Tallwood Trees on the subject site.

- No 12 Bangalow Place has only one window of obscure glass facing the subject site. There is approximately 10m separation between the closest room in the RCF building to the pool at No. 12 Bangalow Place. Level 3 of the RCF building (the highest level of the RCF building adjoining the boundary with No. 12 Bangalow Place) is at RL 12 and the ground level of the subject site adjacent to the pool area is RL 9, with Level 1 of the RCF building at this level.
- The grassed stormwater drainage reserve provides a separation of approximately 19m to the closest property on the southern side of the reserve.

6.7.10 Solar Access and Overshadowing

Solar access and overshadowing have been addressed previously in Section 6.1.1 of this report under the heading State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and the associated impacts are considered insufficient to sustain a refusal of the application.

6.7.11 Waste

Waste management has been addressed previously in Section 6.1.1 of this report under the heading State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and the waste management arrangements proposed are considered satisfactory.

6.7.12 Safety and Security

Safety and security have been addressed previously in Section 6.1.1 of this report under the heading State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and no substantial issues are raised with respect to crime prevention.

6.7.13 Views

Properties both to the east and the north of the site currently obtain district views across the site to various extents. Residences on the northern (opposite) side of Kularoo Drive are generally set at a higher level to the road and their outlook will not be significantly diminished than otherwise would be the case with residential development on the site, as the proposed development presents as predominantly one to two storeys to Kularoo Drive.

No. 160 Kularoo Drive has a rear deck and windows that currently enjoy district views over the subject site across its western side boundary, which will be substantially affected by the proposed RCF building. The proposed RCF building throughout its length adjacent to its boundary with 160 Kularoo Drive is below the 8m height and two storey standard that cannot be used to refuse development consent under the Seniors SEPP. The level of the deck at 160 Kularoo Drive (RL 14.89m) approximates the upper level of the RCF building along the eastern boundary (RL 15.00m). The loss of views may be similarly occasioned by a complying two storey residential building and it is therefore not considered a sufficient reason to sustain a refusal of the application.

Similarly, the proposed RCF building along its length adjacent to the rear (western) boundary of 10 Bangalow Place is below the 8m height standard of the Seniors SEPP. The outlook from upper level windows of 10 Bangalow Place will be affected, however, this outlook is partially diminished by the existing trees on the subject site adjacent to the eastern boundary, which are proposed for retention. It should be noted that 10 and 12 Bangalow Place are set at lower levels in relation to the subject site than 160 Kularoo Drive and do not have the same scope of views over the site as 160 Kularoo Drive. No. 12 Bangalow Place has its deck orientated toward the reserve to its south and this outlook remains unaffected by the proposed development. Additionally, 12 Bangalow Place has only one window on its western elevation, overlooking the site and this window is of obscure glass.

It would not be unreasonable to expect that two storey dwellings located on the site could have a similar impact on views currently enjoyed over the site by those properties adjacent to the east. Accordingly, view loss is not considered sufficient reason to sustain refusal of the application.

6.7.14 Economic Impact

The proposed development will create employment both in the short to medium term through the construction stages and in the longer term with staff employed to run the RCF building and to provide support services for the residents of the self-contained dwellings. As such, it is considered that the proposal will have a positive economic impact to the local community, especially if local contractors are used during the construction phases of the development.

6.7.15 Social Impact

The proposal provides the social infrastructure for 'ageing in place' allowing the residents to remain in the same complex longer by gradually increasing the level of care based on their health and mobility needs, thus allowing 'independent living' as long as possible. As the level of care required increases, residents can move from the self-contained dwellings to the residential care facility, without significant upheaval from the social network that has been established. As such, it is considered that the proposal provides a beneficial social impact to the local community. In order to encourage increased participation in physical activity by the residents of the proposed development, it is considered that the installation of street seating along the walking route from the site to the Stockland shopping centre is required.

6.8 The Suitability of the Site for Development - [Section (1)(c)]

The site is a large site located within an existing urban area, relatively free of constraints, well located to shopping and services necessary for the type of aged care accommodation proposed. The self-contained dwellings are a form of housing that is found within the locality. The residential care facility building has been located to take advantage of the topography and been provided with adequate boundary setbacks and site orientation to minimise adverse impacts to neighbouring properties.

6.9 Submissions in Accordance with the Act or Regulations - [Section (1)(d)]

As a result of the consultation identified in Section 4 of this report, the following matters were raised either in support of the proposal or as issues of objection or concern.

6.9.1 Submissions in support

The matters raised in support of the proposal are as follows:

- The development would provide a wonderful, much-needed facility for people to progress from villa to hostel to nursing home without the need to move to different sites, as both they and their carers age.
- The site is in close proximity to many services and community options and would alleviate the costly need for transport to facilities and services.
- The proposal would benefit a large population of the Great Lakes, which has an ever-increasing aging and disabled population.

Comment

The proposal is considered to have positive impact for the ageing population by increasing the variety of available housing and accommodation choices. It will assist in the opportunity for residents to 'age in place' and keep social contacts formed within the community.

6.9.2 Submissions containing objections

The issues raised as points of objection are listed in Section 4 of this report and the points of concern are summarised and addressed below.

Traffic and parking

- *Lack of off-street parking with overflow parking on Kularoo Drive and surrounding streets.*
- *Increased traffic on Kularoo Drive from access to the RACF building and proposed villas 1-10 giving rise to safety concerns from speeding traffic. Better outcomes would be for all traffic to be directed into the site from Karloo Street via the roundabout shown on the plans or for access to be via a roundabout opposite to Pioneer Drive (top end).*
- *Safety concerns regarding the proposed roundabout at the junction of Thora Close and Karloo Street, as it is situated in close proximity to the Kularoo and Karloo intersection.*

Comment

The above matters have been discussed with Council's Traffic Engineer and it is advised that:

- The development is proposing in excess of car parking requirements under the Seniors SEPP and as such car parking is not considered an issue.
- The accompanying Traffic Impact Assessment indicates that the traffic generated by the development can be accommodated by the surrounding road network. Traffic volumes are within the environmental capacities of the surrounding roads, considering Kularoo Drive is a collector road.
- The proposed access road for the residential aged care facility basement car park is located a satisfactory distance away from Pioneer Drive. Sight distances at this location comply with relevant Australian Standards. Council's Traffic Advisory Committee has recommended that appropriate traffic calming devices are placed on Kularoo Drive to further improve safety along the road. Given this, it is considered that the access road location is satisfactory.
- The Traffic Impact Assessment indicates that a roundabout located at the junction of Thora Close and Karloo Street will have several advantages, including constraining speeds along Karloo Street. A roundabout at this location will improve the safety of the connection road to the development and is situated an appropriate distance from the intersection of Kularoo Drive and Karloo Street. As such, it is considered that the roundabout is satisfactory.

Height, storeys and SEPP 1 Objection

- *Proposed hostel building is up to 4 storeys and exceeds 8m height limit and is out of keeping with buildings in locality which consist of one and two storey dwellings and dual occupancy buildings. The development should be redesigned to reduce the height and locate the building in the middle of the site.*
- *The proposed hostel building has been located on the highest and steepest part of the site and would be more compliant if it were located closer to Karloo Street, where the slope is more level, with self care dwellings provided at the perimeter of the site so that the proposed development steps up away from the adjoining sites that contain one and two storey dwellings.*
- *Detrimental amenity impact of the height of the development exceeding one storey in the rear 25% of the development.*

- *Non compliance with height requirements of Clause 40(4) of SEPP (Housing for Seniors or People with a Disability) 2004 as the proposal exceeds 8m, the building adjacent to the eastern boundary is 3-4 storeys; the building in the rear 25% of the site is 3-4 storeys. The rear 25% of the site could relate to the area adjacent to the southern boundary or the area adjacent to the eastern boundary as being the rear boundary. Even if it were to relate to the southern boundary, the proposed development adjacent to No 12 Bangalow Place should be limited to one (1) storey.*
- *The application assumes that the rear 25% site area that requires only a one storey building under Clause 40(4)(c) relates to the area adjacent to the southern boundary. When considering the impact to the rear 25% of the site, consideration should be given to the properties adjacent to the eastern boundary where the site adjoins the rear yards of dwellings having frontage to Bangalow Place. The intent of the clause is to ensure that Seniors Living Development does not unreasonably reduce the amenity of the existing rear yards that adjoin the site.*
- *The submitted plans do not accurately depict the 8m height limit required by Clause 40(4)(a) of the SEPP. The architect has endeavoured to depict this by showing a single line 8m high on the elevations. Given the slope of the site and the definition of height being the distance measured vertically from any point on the ceiling of the topmost floor of the building to the ground level immediately below that point, the contours should be shown on the topmost floor plan so that the 8m height limit and the area that exceeds the 8m can be clearly depicted.*
- *The SEPP 1 objection is considered inadequate in that:*
 - *the proposed hostel building will be visually prominent as it is located on the highest part of the site,*
 - *it will result in an abrupt change in the scale of development in the streetscape,*
 - *the proposal does not take into account the scale of the adjoining dwellings to the east.*
 - *The SEPP 1 objection has not addressed the public benefit of maintaining the planning controls of the environmental planning instrument, as there is a clear public benefit in maintaining height controls to ensure that the bulk and scale relates to the existing locality character and to minimise likely impacts to adjoining properties to the east.*
 - *The SEPP 1 objection cannot be considered well founded as it does not demonstrate that the objectives of the development standard are achieved or that the proposed development does not proffer any alternative means of achieving the objectives (refer Land and Environment Court: Wehbe v Pittwater Council [2007] NSWLEC827 (Wehbe).*
- *The proposed building provides in excess of the number of car spaces required by the SEPP and the number of car spaces could be reduced by 47 spaces significantly reducing the size of the car parking level and allowing the building to be lowered so that the height could comply with requirements of the SEPP.*
- *The Statement of Environmental Effects indicates that the landscaped area provided is in excess of that required by the SEPP, resulting in an excess of 3937m² of landscaped area. Part of the excess landscape area could be utilised for car parking, negating the need to provide car parking under the proposed hostel building. This would allow the building to be redesigned to be more compliant with the height requirements of the SEPP and more compatible with existing character of the locality.*
- *Due to the height of the residential care facility building of up to four stories (in places five levels) and its location at the highest part of the land, the building will be out of proportion with the building form in the surrounding area, which consists of one and two storey houses and dual occupancies.*

- *The overall scale and height of the building is excessive. As well, the front of the building fronting Kularoo Drive is approximately 77m which is significantly wider than other development in the locality and to be more harmonious with the existing character, the front elevation needs to be broken into smaller components.*
- *The residential care facility should be relocated to the middle and low area of the lot where it will be less intrusive. As well, the height should be reduced so that it blends in with the surrounding area. More parking should be provided within the grounds of the lot and the access road to Kularoo Drive should line up with Pioneer Drive.*
- *The proposal for 4 storeys is incompatible with adjoining low density residential development to the east of the site and incompatible with contemporary aged care design. The plans should be amended so that the higher buildings are not located against the boundaries with the properties to the east. The villas should be located around the perimeter of the site as a buffer between the RACF building and the low density residential development on adjoining properties.*
- *The proposal is not consistent with the Land and Environment Court Planning Principles (refer GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council and Project Venture Developments Pty Ltd v Pittwater Council [2005] NSW LEC 191): "the most important contributor to urban character is the relationship of building form to surrounding space, a relationship that is created by building height, setbacks and landscaping". In this regard it is argued that the 3- 4 storeys is not compatible with the 1-2 storey buildings in the locality.*

Comment

Issues relating to the height and storeys of the proposed development have been discussed in the Sections 6.1.1 and 6.1.2 of this report under the headings "State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004" and "State Environmental Planning Policy No. 1 - Development Standards".

The design philosophy as stated in the SEE is for the self-contained dwellings to be located as an individual village separate to the RCF building. The four (4) storey component of the RCF building is centrally located within the RCF footprint and substantial separation is provided to adjoining residential properties. The RCF building presents as two storeys substantially throughout its length along the eastern elevation and to the Kularoo Drive frontage. The RCF building steps down with the fall in site topography to three storeys along the rear (southern elevation) and is over the 8m height requirement through this area of the building. A height and storeys analysis plan is provided in Appendix 'D' of this report. It is considered that the SEPP 1 objection in relation to the height and storeys non compliance with the development standards in the Seniors SEPP may be approved given the separation provided to the boundaries and associated landscaping; the clustered building form that visually breaks the scale of the building, as well as materials and colours proposed; room orientation; and minimal associated impacts. As such it is considered that it is not inconsistent with the planning principles established by the Land and Environment Court for streetscape and contextual compatibility.

Non Compliance with Seniors SEPP

- *A review of the information indicates that in accordance with Clause 26 of the SEPP, there is no documentation from a General Medical Practitioner that the medical practitioner has capacity to provide general practice services to the additional population resulting from the retirement village.*
- *Failure to satisfy the provisions of Clause 26 of SEPP Seniors Living as written evidence has not been provided that there will be access to community services and a general medical practitioner.*

- *The Statement of Environmental Effects does not address the requirements of Clause 37 of SEPP Seniors Living and a detailed assessment in accordance with Crime Prevention Through Environmental Design is required.*
- *The proposal is unsatisfactory with regard to State Environmental Planning Policy No. 71 - Coastal Protection, the NSW Coastal Policy and the NSW Coastal Guidelines due to height, scale, bulk, inappropriate design and location will be visually intrusive to the streetscape, the locality and neighbouring development.*
- *No details have been provided of internal paths to demonstrate compliance with the provisions of SEPP Seniors Living and AS 1428.*

Comment

Clause 26 of the Seniors SEPP does not require documentation from a General Medical Practitioner. Instead, it has site related access requirements to the practice of a general medical practitioner, shops, community services, etc. An Access Report has been provided with the application and accessibility requirements has been discussed in Sections 6.1.1 of this report under the headings "State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004", as has crime prevention. The proposal is considered satisfactory under State Environmental Planning Policy No. 71, the NSW Coastal Policy, the NSW Coastal Guidelines and these have been discussed under the relevant headings in Sections 6.1.3, 6.5.1 and 6.10 respectively.

Bulk, scale, area character and streetscape

- *Overall bulk and scale excessive.*
- *The height of the hostel building provides an abrupt change in the scale of the development in the streetscape.*
- *There is an abrupt change in scale in the streetscape when considered in relation to the rear yards of the adjoining properties to the east (10 and 12 Bangalow Place), which consist of Part 1 and Part 2 storey dwellings and the height should be reduced to be more compatible with the existing dwellings on adjoining sites and in the locality.*
- *There is also an abrupt in change in scale on the western side of the proposed hostel building where it adjoins the part 1 and part 2 storey self care buildings and therefore the proposal is not consistent with Clause 40(4)(b) of the SEPP.*
- *The overall bulk and height of the building will cause an abrupt change in the scale of the development in the surrounding area and street view (particularly along Kularoo Drive).*
- *The streetscape elevation of the proposed hostel building should include the dwellings to the east of the site to show the context of the proposed development in relation to existing dwellings in the streetscape.*
- *The building is forward of the building line in Kularoo Drive and inconsistent with other dwellings. The structure attached to the front of the building encroaches into the 6m building line and appears to encroach beyond the site boundaries. Car parking provided forward of the building line is also not consistent with the existing streetscape.*
- *Extreme bulky building over eastern third of the site creating a large visual presence and loss of privacy which is out of character with the existing surrounding residential area.*

Comment

The bulk, scale and height of the proposed development have been discussed throughout the report and in particular in regard to design principles in Section 6.1.1 "State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004". It is not considered that the proposed RCF building introduces an abrupt change in the Kularoo Drive streetscape due to its predominantly one to two storey form fronting Kularoo Drive. In regard to the western elevation of the RCF building and its relationship with the proposed self contained dwellings, it should be pointed out that Clause 40(4)(b) of the Seniors SEPP only applies to site boundaries and that there is no boundary proposed between the self contained dwellings and the RCF building, rather they form part of the same complex.

Zoning

- *The proposed hostel building does not comply with the objective of the Residential (a) zone, which limits development to 2 storeys in height and therefore sets the residential character of the area. Accordingly, it is inconsistent with Clause 33 of the SEPP which requires development to maintain a reasonable neighbourhood amenity and streetscape.*
- *The land is zoned as low density with the height of dwellings only permitted to be no higher than 2 storeys. The existing property was bought on that understanding and as such the residential care facility should interfere with the existing living environment as little as possible.*

Comment

Refer Sections 6.1.5 and 6.2.1 of this report for discussions regarding the existing and proposed site zoning.

Internal amenity

- *Poor amenity will be provided to future occupants of the rooms on the north-eastern corner of the building due to the extent of excavation resulting in rooms that are up to 3m below ground level.*

Comment

It is agreed that the internal amenity of future occupants on Level 3 in the north-east corner of the building will be to some extent compromised due to the steep fall in site topography and excavation proposed, which will restrict solar access into these rooms. It should be noted however, that the lounge areas provide alternative access to sunshine and it is stated in the SEE that some residents may "prefer not to have direct sunshine into their bedrooms often due to the health problems that are encountered with ageing such as skin and eye irritations". Notwithstanding, it is not considered that this matter is sufficient to warrant refusal of the application even though the solar performance of these rooms is poor.

External amenity: light, privacy & views

- *The proposed sun terrace adjacent to the eastern side boundary is elevated above the ground level of the adjoining property to the east and is likely to result in overlooking impacts to this property. These impacts could be mitigated by designing a complying building such that the building is no more than one storey in the rear 25% of the site, with the terrace at ground level. The proposal is therefore inconsistent with Clause 34 of the SEPP.*
- *The residential care building will have an adverse impact on existing residences in Kularoo Drive due the height, bulk and scale proposed.*

- *Loss of light due to height of residential care facility and overshadowing in late afternoon, particularly in winter time (June to September) resulting in dampness in fungus growth in the house. As such, the quality of life will be decreased.*
- *Loss of privacy due to overlooking of upper levels of 4-5 storey residential care facility building.*
- *Loss of view due to at least an 8m high wall of the residential care facility building that runs from the north to the south side of the lot at its eastern end.*

Comment

The applicant is classed as a "social housing provider" under the Seniors SEPP and as such there is no requirement under Clause 40(5) for the RCF building to be only one storey in the rear 25% of the site. Shadow and privacy impacts are discussed under relevant headings within the Section 6.1.1 of the report with the heading "State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004". Appropriate conditions are included within the Recommendation of the report to address privacy impacts as discussed. It should be noted that the eastern boundary of the site forms the side boundary with No. 160 Kularoo Drive, although in turn it is the rear boundary of Nos. 10 and 12 Bangalow Place. Although the proposal breaches the height standard under the Seniors SEPP, it does so only in the lower sections of the site. The area of district view loss will occur from the deck of No. 160 Kularoo Drive over a side boundary, where the proposed building presents as two storeys and is under 8m in height adjacent to the boundary. As noted in *Tenacity v Warringah* [2004] NSWLEC 140, the protection of views across side boundaries is more difficult than the protection of views from the front or rear. In the particular circumstances of the case, it would be reasonable to expect that a two storey dwelling would have a similar impact on the district views currently enjoyed over the site from the deck area.

Excavation and drainage

- *Excavation required for the foundations and footings in close proximity with the north-east boundary could result in sagging or other ground movement and may cause cracking in the house.*
- *The proposal relates poorly to the sites landform as it requires extensive and unnecessary excavation to the north-eastern and north-western part of the building where the lower ground floor is wholly below ground level and the rear portion is 3-4 storeys high.*
- *Potential realignment of ground water flow which may be diverted to adjacent properties.*
- *A complete hydrological survey is required for the site so that the above and below ground water can be managed effectively. The impact on sub-surface flows during periods of rainfall from this site to properties in Thora Close should be considered and assessed.*
- *The proposal appears to rely on small ponds for drainage that would then drain into Council's public drain to the south. This indicates that Council is willing to accept a lesser standard than has been applied to other developments. The drainage for the proposed development should be centralised as has been Council's requirements for these types of developments in the recent past e.g. Barclay Gardens on The Southern Parkway provides residential care for 100 residents (less than half the scale of the proposed development) and was required to construct a single detention pond with a water surface of around 900m².*

Comment

A structural engineer will be required to design the footing and slab system for the development. In addition there will be a requirement for the applicant's engineer to prepare a dilapidation report covering those properties in proximity to the development.

A concept stormwater strategy in accordance with Council's DCP 54 has been submitted as part of the proposal and it is considered that it will adequately manage stormwater runoff from the site, as well as achieving the water quality objective for a greenfield development within the Wallis Lake catchment (refer Section 6.3.2 of this report).

In relation to existing water flows across the site, an existing Council water pipeline discharges onto the site and prior to the construction of the proposed development, Council will need to divert this pipeline so that it does not drain across the site.

6.9.2.1 Loss in property value

- Due to the associated impacts, there will be a loss of value of the existing home of at least AUD \$50,000.

Comment

Loss in property value is not a relevant planning consideration under the Environmental Planning and Assessment Act. Notwithstanding, no demonstrable evidence has been provided to support this statement, such as valuations from a quantity surveyor on a 'before and after' scenario. Further, it is considered that there are insufficient direct, reasonable and substantial amenity impacts to surrounding residents to sustain the objection on this ground.

6.9.2.2 Landscaping

- The three self care duplexes (Type C) are very close to southern boundary with insufficient room for screen vegetation.

Comment

Appropriate tree planting and a landscape screen along the southern boundary adjacent to the self-contained dwellings and the RCF building forms part of a deferred commencement condition in Appendix 'A' of this report.

6.9.2.3 Overdevelopment

- The proposal is an overdevelopment of the site. Expected development was previously for a primary school with large open space areas or between 20-25 residential lots not 194 units.

Comment

It would be reasonable to assume that the development site could potentially be subdivided for approximately 35 residential allotments. It is not considered that this proposal results in an overdevelopment of the site as such, rather the Seniors SEPP allows a development with different accommodation types and physical characteristics to what is otherwise permissible under the zoning.

6.9.2.4 Social impact

- *Information provided within the Statement of Environmental Effects does not satisfactorily address the social impact of a proposal due to its type and size. Accordingly, a social impact assessment prepared by a suitably qualified and experienced social planner is required.*

Comment

A social impact comment has been provided within the Statement of Environmental Effects. It is not anticipated that there are likely to be significant social impacts arising from the proposed development warranting a more in-depth social impact assessment. The impacts associated with the increased scale of the proposal, than would otherwise occur, result mainly from the potential increase in traffic and associated parking requirements for the RCF building. In this regard, the proposed 144 bed RCF building provides substantially above the minimum number of car parking spaces required as a standard that cannot be used to refuse development consent. Further Council's Traffic Advisory Committee has considered the proposed traffic and parking impacts satisfactory, subject to a number of requirements, including traffic calming devices and road treatments and upgrading of bus stop facilities at the applicant's expense.

6.9.2.5 Public interest

- *The application appears to be for villas with no guarantee that the residential aged care facility (RACF) will be built or what the time frame is for the completion of the development.*
- *The proposal will result in over servicing of aged care facilities which is not in the public interest. Signs are emerging of an over-supply of aged care services in Forster Tuncurry with some facilities reporting unprecedented vacancies.*
- *The proposed concentration of services within Forster is contrary to the public interest and contrary to the stated objectives of the Commonwealth Department of Health and Aged Care. It is also contrary to the interest of the wider Great Lakes Community, which according to the latest census data has a population circa 35,000 with only circa 13,000 residing in Forster. It is inappropriate and unreasonable to further concentrate aged services at the northern end of the Council area of some 3376 km² when numerous villages and towns have a far greater need.*
- *The proposed development would focus on a very specific demographic - those residents capable of making large financial contributions - when the pressing need across Great Lakes is for decentralised and low cost accommodation.*

Comment

The proposal is for the seniors housing to be constructed in stages, with the RCF building to be constructed in Stages 5 and 6, subject to Commonwealth funding.

It is not unreasonable to expect that future residents of the proposed development will be drawn from a wider area than just the local area, with the importance of the Great Lakes Council areas a destination for retirees from Newcastle, Sydney and further south expected to continue into the foreseeable future. The appeal of the area is a reflection of the natural attractiveness of the area, the climate and the significant amount of accommodation opportunities. As well, Forster Tuncurry has a broad range of available medical and ancillary services to meet the needs of people looking for the type of accommodation on offer. The provision of this type of aged care accommodation is a function of market demand and is not a planning consideration under Section 79C of the EP&A Act.

It is understood from the applicant, GLAICA that they have recently been unable to accept prospective residents due to lack of rooms and that they are aware the same has happened to another provider of aged care accommodation in the area. Further, it is advised that GLAICA and all providers of Residential Aged Care in the area are required by the Commonwealth to accept 17.9% of residents from low socio economic basis and they currently have 22% of their residents on this basis.

The applicant advises also that it is important to provide appropriately designed facilities for people with special needs, such as sensory impairment or dementia. Residents in RCF building will generally have their meals, medical needs and transport provided by the operators of the facility and as such will not place any significant load on local services.

6.9.2.6 Compliance with the Premises Standard

- *A report has not been submitted to address compliance with the requirements of the Disability (Access to Premises - Buildings) Standard 2010.*

Comment

The *Disability (Access to Premises Buildings) Standards 2010* (the Premises Standard) is not a matter for consideration under Section 79C of the EP&A Act, rather since 1 May 2011, is a compliance matter under the Building Code of Australia with the lodgement of the construction certificate or complying development certificate, unless an exception or concession under the Premises Standard applies. It should be noted that an Access Report has been provided with the application, which is cognisant of the Premises Standard, relevant Australian Standards and access provisions under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP). It should be noted that the Seniors SEPP specifies access requirements to services and facilities as part of the site related requirements for seniors housing and standards for accessibility and useability for self-contained dwellings. The Seniors SEPP as a note references the Commonwealth aged care accreditation standards and the *Building Code of Australia* for relevant standards concerning accessibility and useability for residential care facilities. In assessing the application consideration has been given to the Disability Discrimination Act 1992.

6.1 The Public Interest - [Section (1)(e)]

The development is considered to be in the public interest having regard to the following matters relevant in consideration of the public interest:

Mid North Coast Regional Strategy

The stated primary purpose of the *Mid North Coast Regional Strategy 2006-2031* (MNCRS) is to ensure that adequate land is available and appropriately located to accommodate the projected housing and employment needs of the Region's population over the period to 2031 and to guide sustainable development. The proposal is considered consistent with the MNCRS, which recognises the challenge arising from an ageing population and the type and availability of dwellings that will be needed. The proposed development is considered to provide housing choice in a suitable location to access services and reinforce the role of the town and prevent urban sprawl.

Coastal Design Guidelines for NSW

The *Coastal Design Guidelines for NSW* (the Guidelines) compliments the Coastal Policy and SEPP 71 and is based on the principle of ecologically sustainable development. The Guidelines aim to ensure that future developments and redevelopments are sensitive to the unique natural and urban settings of coastal places in NSW. The Guidelines set out detailed 'Desired Future Character' statements for various categories of settlement ranging from hamlets to cities. Under the Guidelines Forster is categorised as a coastal town. The proposal is considered to be not inconsistent with the 'desired future character' guidelines for coastal towns, as it is accommodating growth and services within the town rather than in an out-of-town location.

Great Lakes Council Parking Policy

The Seniors SEPP overrides the parking policy as stated previously in the report, however, as a comparison the *Great Lakes Council Parking Policy* (the Parking Policy), which was adopted at the Council's Strategic Committee meeting held 8 March, 2011, requires as a minimum one (1) car parking space per dwelling house and the self-contained dwellings provide as a minimum one (1) parking space. The RCF building is not listed as a development type in the Parking Policy and as such the Parking Policy defers to the Roads and Traffic Authority (now Roads and Maritime Services) publication Guide to Traffic Generating Developments. This provides the following parking requirements for housing for hostel accommodation for "housing aged and disabled persons" as:

- 1 space per 10 beds (visitors)
- 1 space per 2 employees
- 1 space per ambulance.

These rates are the same as those required under the Seniors SEPP and the proposal with a total of 83 spaces (including staff spaces) and one (1) ambulance space is in excess of the number of parking spaces required.

Section 94 Contributions

In accordance with the Ministerial Direction in force (dated 14 September 2007) under Section 94E of the EP&A Act, there are no contributions payable for public amenities or public services by a social housing provider as defined in the Seniors SEPP. Contributions are payable however, for road haulage for each stage as undertaken at the rate of 3.7 cents per tonne per kilometre. An appropriate condition of consent is contained within Appendix 'A' of this report.

7. Conclusion

Subject to deferred commencement conditions and recommended conditions under Section 80A of the *Environmental Planning and Assessment Act 1979*, the proposal is acceptable against the relevant considerations under section 79C.

8. Recommendation

That the Joint Regional Planning Panel grant deferred commencement consent to DA 249/2013 under Section 80 (3) of the *Environmental Planning and Assessment Act 1979*, subject to the conditions contained in Appendix 'A'.

APPENDIX A - Conditions of Consent

DEFERRED COMMENCEMENT CONDITIONS

The consent will not operate until evidence, as specified in the following deferred commencement conditions, has been submitted to and approved by the consent authority and written notice given under Section 100(4)(b) of the *Environmental Planning and Assessment Regulation 2000* that the deferred commencement conditions have been satisfied and the date from which the consent operates:

A1. Designing for noise impacts

Plans and specifications detailing the measures to reduce noise impacts on the building occupants from the removal of waste from the garbage and recycling area (vehicular movements and reversing horn) must be submitted to and approved by the certifying authority. In particular, attenuation measures for the rooms in the Residential Care Facility building directly above and adjacent to the waste and recycling collection point and Self-contained Dwellings 1, 33 and 34 must be addressed by a qualified acoustic consultant.

Reason: To maintain the amenity of building occupants.

A2. Final Landscape Plan and Amended Landscape Design Report

The Registered Proprietor of the land shall engage a qualified and experienced landscape architect to prepare a Final Landscape Plan and Amended Landscape Design Report. The Plan and Report shall be prepared and submitted to Great Lakes Council's Ecologist for review and approval.

The Plan and Report shall demonstrate the predominant use of native plants that are locally indigenous to the Forster area, with particular reference to those species identified in the document prepared by Ryan Sims, dated 22 August 2013 and entitled "Native Plant Species List Appropriate for Landscaping of DA249/2013" in Annexure '1' of these conditions. Specifically no less than 70% of plant species in each structural layer (trees, shrubs and groundcovers) shall be local native species. No environmental weeds such as Canna Lilly or Tradescantia cultivars or similar are to be used in plantings. Cultivars are not considered native species.

The Plan and Report shall show clearly:

- a) The location of the buildings, and all associated infrastructure (including but not limited to electricity substation/s, car parks, paths, driveway areas, wastewater, stormwater treatment devices, etc.) and the type of material to be used for sealing these areas.
- b) Details of earthworks including cut and fill, mounding and retaining walls.
- c) Details (locations, size, species) of trees to be retained on the land.
- d) Details (locations, size, species) of trees to be removed from the land.
- e) Details (locations, size, species) of trees to be translocated/ transplanted on the land.
- f) Details of plant species, quantities, densities and height and spread at maturity that are to be utilised in the landscaping (including in stormwater treatment devices and drainage reserve).
- g) Details of planting locations (including in stormwater treatment devices) and drainage reserve.
- h) Details of the proposed staging of landscaping activities.
- i) Details of the area of established and maintained lawns.
- j) Details of planting procedure and maintenance.
- k) Details of the use and type of mulch on the land.
- l) Details of the use and the type and quantity of soil material to be imported to the land.

- m) The use of predominantly native flora species as defined above.
- n) Tree plantings that consider a range of flowering seasons that may provide blossom for nomadic and migratory species, such as the Swift Parrot.
- o) The path that follows the south-western corner/ wing of the Residential Aged Care Facility shall be offset 1.5m from the southern boundary to allow for two (2) additional planted trees. The two (2) additional trees shall be of appropriate native species as defined above and reach 6 to 8-metres in height at maturity.
- p) Screen planting of electricity substations to the street view.
- q) A continuous screen planting of appropriate plants identified in the document prepared by Ryan Sims, dated 22 August 2013 and entitled "*Native Plant Species List Appropriate for Landscaping of DA249/2013*" along the southern boundary, except where trees already occur and are proposed to be retained and/or are proposed to be planted. The screen planting shall be capable of reaching a minimum of 2.5m in height.
- r) Landscaping of the eastern and southern boundary associated with the Residential Aged Care Facility building shall occur in Stage 1.

The Plan and Report must reflect the details of the *Tree Assessment and Protection Recommendations* report prepared by Syncarpia Vegetation Management and dated June 2013. The Plan and Report must also be in accordance with Australian Standard AS4970-2009 Protection of Trees on Development Sites.

The Plan shall be reviewed and endorsed in writing by Council's Ecologist. All landscaping shall be carried out in accordance with the final plans and maintained in accordance with the plan at all times.

Reason: To provide landscaping to the subject land to improve local biodiversity and local amenity and to compensate for the removal of trees from the land.

A3. Positioning of the Residential Aged Care Facility

The construction of any concrete slab of the Aged Care Facility building shall be no less than 3.35-metres from Trees 15 and 16 as identified "Tree Assessment and Protection Recommendations" report prepared by Syncarpia Vegetation Management, dated June 2013. Clear and specific detail shall be provided to Council in the form of construction plans or amended detail in the Final Landscape Plan and Landscape Design Report, that is required by these deferred commencement conditions.

Reason: To further protect retained trees and minimise potential impacts of the development on native vegetation.

A4. Amended Translocation/ Transplantation Plan

The Translocation/ Transplantation Plan that was provided in the letter of Julia Stanton (Syncarpia Vegetation Management), dated 15 July 2013, shall be demonstrably amended to increase the required excavation around the root ball of Tree 17 from 1-metre diameter to 1.5-metre diameter. The Amended Translocation/ Transplantation Plan shall form part of this Consent.

Reason: To improve the chances for the successful relocation of Tree 17 (a Cabbage Tree Palm).

A5. Final Tree Management Plan

The Registered Proprietor shall engage a qualified Arborist with qualifications equivalent to AQF Level 5 in Arboriculture to prepare a Final Tree Management Plan. This Plan shall reflect the information contained within the report entitled "Tree Assessment and

Protection Recommendations" report prepared by Syncarpia Vegetation Management, dated June 2013, but as amended by the details set-out in these conditions. The Plan shall clearly specify all tree protection requirements during construction, including details associated with protection of trees and their root zones, the details of any required pruning of trees and the required presence of the Arborist on site during any works in the root zones of trees to be retained. The Amended Tree Management Plan shall form part of this consent.

Reason: To guide tree retention and management on the land.

Evidence required to satisfy the above deferred commencement conditions must, in accordance with Clause 95(3) of the *Environmental Planning and Assessment Regulation 2000*, be submitted to Council within 12 months of the date of this consent.

The following conditions will apply following written notice given under Section 100(4)(b) of the *Planning and Assessment Regulation 2000* that the deferred commencement conditions have been satisfied and the date from which the consent operates:-

A GENERAL CONDITIONS

1. Development in accordance with approved plans

The development must be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan type/Supporting Document	Plan No. & version	Prepared by	Dated
Cover Page/Drawing Schedule	629DA_10_000A	McFadyen Architects	January 2013
Site Master Plan	629DA_10_100B	McFadyen Architects	January 2013
Site Setout Plan	629DA_10_101B	McFadyen Architects	January 2013
Site Sections-Duplex's	629DA_10_102	McFadyen Architects	January 2013
Streetscape Elevations	629DA_10_103	McFadyen Architects	January 2013
Staging Plan	629DA_10_104A	McFadyen Architects	January 2013
Staging Plan + Bulk excavation + staging planting	629DA_10_105	McFadyen Architects	January 2013
RACF - Level 1	629DA_20_001B	McFadyen Architects	January 2013
RACF - Level 2	629DA_20_002A	McFadyen Architects	January 2013
RACF - Level 3	629DA_20_003A	McFadyen Architects	January 2013
RACF -Level 4	629DA_20_004A	McFadyen Architects	January 2013
RACF - Level 5	629DA_20_005A	McFadyen Architects	January 2013
RACF Elevations	629DA_20_100A	McFadyen Architects	January 2013
RACF Sections	629DA_20_102A	McFadyen Architects	January 2013

Duplex's Type A and Type B	629DA_30_100A	McFadyen Architects	January 2013
Duplex's Type C and Type D	629DA_30_101A	McFadyen Architects	January 2013
Duplex's Type A2 and Type C2	629DA_30_102A	McFadyen Architects	January 2013
Clubhouse	629DA_40_100	McFadyen Architects	January 2013
Site Management Plan	629DA_50_100B	McFadyen Architects	January 2013
Waste Management Plan	629DA_50_101A	McFadyen Architects	January 2013
Driveway/Loading Bay Detail	629DA_90_100	McFadyen Architects	August 2013

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

Reason: Information and to ensure compliance.

2. Development in accordance with approved stages

The development must be implemented in accordance with the following approved stages:

STAGES	PARTICULARS
Stage 1	Self-contained Dwellings Nos. 11-17 fronting Karloo Street and planting along the eastern boundary and southern boundaries adjacent to the Residential Care Facility building
Stage 2	Self-contained Dwellings Nos. 1-10 fronting Kularoo Drive
Stage 3	Self-contained Dwellings Nos. 19-24 and Self-contained Dwellings Nos. 39-50 and Clubhouse.
Stage 4	Self-contained Dwellings Nos. 25-32
Stage 5	Residential Care Facility Building North and Basement Carpark to Level 1 Floor Level Residential Care Facility Building South
Stage 6	Residential Care Facility Building South
Stage 7	Self-contained Dwellings Nos. 33-38

Reason: Information and to ensure compliance

3. Design Changes – Plan amendments

The proposal must be amended in the following manner:

- (a) The proposed splinter island adjacent to the roundabout in Karloo Street amended to suit:-
 - (i) The turning circle for a 8.8m long garbage truck to enter the site;
 - (ii) Provision for a 2.5 metres wide footpath along the site frontage in Karloo Street;
 - (iii) Plans to show sight distance in accordance with figures 3.2 and 3.3 of AS 2890.1; and figures 3.3 and 3.4 of AS 2890.2.

- (b) Details showing the extent of road dedication adjacent to the roundabout in Karloo Street. The extent of road dedication must be to Council's satisfaction.
- (c) A one way direction east to west for the driveway that services the Porte Cochere with vehicle parking space No. 1 being deleted.
- (d) The turning head as shown on drawing Driveway/Loading Bay Detail, August 2013, 629 DA_90_100 with a suitable safety rail to help protect pedestrians/structures. The safety rail is to be located so that the garbage truck can reserve and overhang the end of the turning head pavement by a minimum 3 m.

Plans detailing these amendments must be submitted with the application for a construction certificate.

Reason: To comply with Australian Standards AS 2890.1 and AS 2890.2 and ensure public safety

4. Design Changes – Plan amendments

The proposal must be amended in the following manner:

- (a) The 1.8m high timber privacy screen shown as being located in the planted area adjacent to the footpath on the eastern side of the Residential Care Facility Building must be relocated to the edge of the Level 2 eastern sun terrace and courtyard of the Residential Care Facility Building such that the top of the privacy screen is 1.8m above the level of the terrace and courtyard.
- (b) A 1.8m high timber privacy screen must be located on the edge of the Level 2 western sun terrace and courtyard of the Residential Care Facility Building such that the top of the privacy screen is 1.8m above the level of the terrace and courtyard.
- (c) External slatted louvres to the upper floor living area windows of Self-contained Dwelling Nos. 3 and 4 fixed at an angle to minimise downwards overlooking into the courtyards of adjacent self-contained dwellings.
- (d) External slatted louvres to the Level 2 and Level 3 common room windows on the south-western wing of the Residential Care Facility Building to a height of 1.8m above the respective floor levels of these rooms. The louvres must be fixed to minimise downward looking to the properties on the southern side of the drainage reserve.
- (e) The path on the southern side of the Residential Care Facility Building must be setback a minimum of 1.8m from the boundary to allow for screen planting.

Plans detailing these amendments must be submitted with the application for a construction certificate.

Reason: To ensure privacy and minimise overlooking

5. Design Changes – Plan amendments

The proposal must be amended in the following manner:

- (a) The garbage/recycling storage area must be in accordance with Driveway/Loading Bay Detail Plan No. 629DA_90_10 prepared by McFayden Architects dated August 2013.

Plans detailing these amendments must be submitted with the application for a construction certificate.

Reason: To ensure adequate storage and access for waste storage.

6. Compliance with Building Code of Australia

All building work must be carried out in accordance with the requirements of the Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.

Reason: Prescribed condition under the Environmental Planning & Assessment Regulation 2000.

7. Insurance requirements under the *Home Building Act 1989*

In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
- (b) to the erection of a temporary building.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

8. Notification of *Home Building Act 1989* requirements

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Reason: Prescribed condition under the *Environmental Planning & Assessment Regulation 2000*.

9. Adjustment to utility services

All adjustments to existing utility services made necessary by the development are to be undertaken at no cost to Council.

Reason: To ensure adequate utility services at the developer's cost.

10. Compliance with *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*

In accordance with the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 only the following kinds of people may occupy any accommodation within the development:-

- (a) seniors or people who have a disability,
- (b) people who live within the same household with seniors or people with a disability,
- (c) staff employed to assist in the administration of and provision of services for the seniors housing.

Reason: To ensure statutory compliance.

B CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the issue of any construction certificate:

11. Hoarding details

Prior to the release of the construction certificate for each stage the applicant shall submit details of associated hoardings with:-

An application for a Section 138 Roads Activity/Hoarding submitted to Council for the hoardings erected along the site frontages of the development site in Kularoo Drive and Karloo Street;

The hoarding detail for all other areas approved of by the Certifying Authority.

Prior to the commencement of the internal works on the site the hoarding are to be erected in accordance with the approved plans.

Reason: To ensure public safety

12. Road haulage

Prior to the release of the construction certificate for each stage the applicant shall:-

- (a) submit details to Council of any fill/cut associated with that staged works; and
- (b) pay to Council a contribution of 3.7 cents per tonne per kilometre of material hauled to and from the development based on the resultant tonnage (if any).

Notes:

This payment is for Council's Sec 94 Plan for Road Haulage. The levy is to be used for maintenance/repairs of damage caused to public roads by the above work. The applicable contribution rate is reviewed annually and new rates, if applicable, become operational from 1 July each year. Copies of the Contributions Plan may be inspected at Council's offices in Breese Parade, Forster. The contribution is to be paid at the rate applicable at the time of payment.

Reason: Statutory requirement for maintenance and repairs for damage caused to public roads

13. Geotechnical report – engineering works

Prior to the issue of a construction certificate for stages 5 and 6, a certificate from a professional geotechnical engineer must be submitted to the certifying authority, certifying that:

- (a) The design of the civil engineering works, including retaining walls and/or cut & fill batters, has been assessed as structurally adequate in accordance with the relevant Australian Standards;
- (b) The civil engineering works will not be affected by landslip or subsidence either above or below the works;
- (c) Adequate drainage has been provided with appropriate considerations given to groundwater constraints.

Reason: To ensure site stability and public safety.

14. Erosion and sediment control plan

Prior to the issue of each construction certificate, an associated erosion and sediment control plan prepared by a suitably qualified person in accordance with "The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction" (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Reason: To protect the environment from the effects of erosion and sedimentation.

15. Utility Services

Any electricity substation/s required for the site must be located within the site and screened from view. The location of the substation within the site, together with the required screening, shall be subject to requirements of Essential Energy. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications prior to the issue of the relevant construction certificate stage.

16. Works within the road reserve

Prior to the issue of a construction certificate for the relevant stages set out below in this condition, an application for a Public Engineering Works Permit (PEWP) must be submitted to and approved by Council for the road reserve works listed in the table below. Each work must be carried out in accordance with the standard specified in the column opposite the work. All works must include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities.

Work	Standard to be provided
Footpath/cycleway for the full frontage of the site in Kularoo Drive and Karloo Street.	<p>2.5m wide at a cross-fall of 1 % or 1:100 (maximum 2.5% or 1 in 40) in accordance with Council Standard Drawing No. 165 and where applicable the gradients in Clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.</p> <p>Prior to construction of the footpath the applicant must liaise with Essential Energy to determine whether further conduits are required to be laid in the footpath/nature reserve.</p>
Grading, trimming, topsoiling and turfing of the unpaved footpath area	The surface levels are to be finished flush with adjacent road or kerb levels.
Kerb and gutter, road pavement, footpath formation across the full frontage of the site in Karloo Street.	Provision of concrete kerb and gutter and extension of the existing bitumen seal to the new kerb and gutter to Council's Adopted Engineering Standard.
Stormwater drainage pipeline from Kularoo Drive across the full frontage of the site in Karloo Street to the open drainage system on the western side of Karloo Street (between Nos. 12 & 24 Karloo Street)	Drainage to include drainage of the proposed roundabout at Karloo Street and Thora Close to Council's Adopted Engineering Standard and requirements.
A raised entry treatment on Karloo Street adjacent to Kularoo Drive	The raised entry treatment is to be designed in accordance with Council's Standard drawing - STD 191. The design is to address siting, signs, line marking, parking restrictions and night-time visibility.
A roundabout at the intersection of Karloo Street and Thora Close.	In accordance with AustRoads Part 6 - <i>Roundabouts</i> . The design is to address siting, signs, line marking, parking restrictions and night-time visibility.
Minimum 8 kerb extensions/islands containing street trees.	The extensions/islands are to be located within the parking lanes on both sides of Kularoo Drive in accordance with Council's requirements.
<p>Tapered bus bays, footpath pavement and shelters (shelter is to be Adshel Infrastructure Metro range or similar) Bus shelters are to be located adjacent to:-</p> <ul style="list-style-type: none"> • adjacent to 160 Kularoo Drive; and • On both sides of Karloo Street - adjacent to 25 Karloo Street. 	<p>The bus shelter must be in accordance with Council's requirements.</p> <p>The shelter adjacent to 160 Kularoo Drive is to be located within the development site and outside of the easement for electricity supply 1m wide that burdens the site. An associated easement for access is to be created around the bus shelter in Kularoo Street.</p> <p>The bus shelter in Karloo Street is to have a safety fence adjacent to the open drain.</p> <p>Works are to include relevant bus zone signage, tactile markings and paving. Details are to be in compliance with Commonwealth Disability Standards for Accessible Public Transport.</p> <p>1m wide kerb ramps at suitable locations for wheelchair crossing in Karloo Street. Details are to be in accordance with AS 2890.5 and Council STD 28.</p>

Underground electricity conduits in Kularoo Drive and Karloo Street where/if required by Essential Energy.	Conduits to be in accordance with any requirements of Essential Energy.
Two (2) street furniture park benches	Two (2) street furniture park benches (Replas recycled plastic or similar), associated concrete slabs with a concreted wheelchair and pram access space alongside must be installed to Council's satisfaction.

The minimum extent of engineering works for each Staged Construction Certificate shall be apportioned from the engineering works for the overall development and where stated below.

Stage 1:-

- Construction of a raised entry treatment in Karloo Street adjacent to Kularoo Drive.
- Two (2) street furniture park benches,
- Road works along the full site frontage in Karloo Street consisting of:
 - road shoulder widening with kerb and gutter;
 - a 2.5 m wide footpath; and
 - Street stormwater drainage pipeline; and
 - Bus shelter/stop/s.

Stage 2:-

- Minimum 4 kerb extensions/islands in Kularoo Drive containing street trees.

Stage 3:-

- The internal driveway/road that will service the Independent Living Units (ILU) portion of the site;
- The roundabout and associated stormwater drainage at the intersection of Karloo Street and Thora Close. Associated road dedication.
- Full width 30 mm asphaltic concrete road carriageway resheet along the full site frontage in Karloo Street;

Stage 4

- No engineering requirements for this stage.

Stage 5:-

- Construct a bus shelter adjacent to 160 Kularoo Drive within the development site and create an associated easement for access.
- Construction of a minimum 4 kerb extensions/islands containing street trees.

Stage 6

- No engineering requirements for this stage.

Reason: To ensure works within Council's road reserve are constructed to a suitable standard for public safety.

17. Internal site pathway

The internal pathway through the site must comply with the requirements for a continuous accessible path of travel within the meaning of Australian Standard (AS) 1428.1 and the access requirements of Clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and must be detailed as such prior to the construction certificates for the relevant stages.

Reason: To ensure wheelchair access throughout the site and access to facilities.

18. Bicycle parking

Prior to the issue of Stage 5 construction certificates, the applicant must provide details showing 3 (three) Class 2 bicycle compound and 5 (five) Class 3 rails in accordance with AS 2890.3 Bicycle Parking facilities at suitable locations within the RACF building.

19. Stage 5 car parking and bicycle parking

The 70 car parking spaces and bicycle parking shown within Stage 6 part of the Residential Care Facility building are to be constructed in conjunction with Stage 5 (the northern stage of the Residential Care Facility building). Plans for the construction of Stage 5 must detail these works.

Car parking is to be in accordance with AS 2890.1 and AS 2890.6 and is to include the construction of the concrete floor of the above floor.

20. Driveway levels application

Prior to the issue of Stage 1, 2, and 5 construction certificates, Driveway Levels Application for each associated driveway access must be submitted to Council for approval. A Driveway Levels Application Form for each driveway must be completed and submitted to Council together with the application fee and all required plans and specifications.

Driveways must be constructed by a qualified/licensed contractor at no cost to Council in accordance with the driveway levels and construction standards issued by Council and the following requirements:

- (a) Concrete driveways to all villas fronting Kularoo Drive and Karloo Street.
- (b) Construct concrete driveway to the RACF building in Kularoo Drive with an 11 m wide layback at kerb. Internal driveway to be a minimum 8 m wide for the first 6 metres within the property.

Reason: To ensure works within Council's road reserve are constructed to a suitable standard for public safety.

21. Traffic management plan

Prior to the issue of each construction certificate, a traffic management plan including measures to be employed to control traffic (inclusive of construction vehicles) during construction of the development must be submitted to and approved by the certifying authority. The traffic control plan must be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, *Traffic Control at Work Sites Version 2* and *Australian Standard AS 1742.3: Manual of uniform traffic control devices - Traffic control for works on roads*.

The plan must incorporate measures to ensure that motorists using the road adjacent to the development, residents and pedestrians in the vicinity of the development are subjected to minimal time delays due to construction on the site or adjacent to the site.

The traffic control plan must be prepared by an accredited person trained in the use of the current version of RTA Traffic Control at Work Sites manual.

The approved Construction traffic management plan must be implemented prior to the commencement of work.

Reason: To ensure public safety during the construction of the development.

22. Driveway details and car parking

Prior to the issue of the related stage construction certificate, plans and specifications detailing vehicular access from the site boundary to the proposed car space(s) must be submitted to and approved by the certifying authority. Vehicular access must have an impervious finish and be in accordance with:-

- the development consent approved plans as amended by Driveway/Loading Bay Detail Plan No. 629DA_90_100 prepared by Mcfayden Architects dated August 2013,
- AS/NZS 2890.1-2004: Parking facilities, Part 1: Off-street car parking;
- AS 2890.2 Part 2: Off-street commercial vehicle facilities - for a minimum 10.9 m long MRV truck (Stage 5); and
- AS/NZS 2890.6: Parking facilities - Off-street parking for people with disabilities - where this parking is provided.

Plans must include the following items:

- (a) pavement description (Note For the areas in Stage 5 where the garbage truck will access, park and turn within the site, the pavement is to be concrete (or similar));
- (b) site conditions affecting the access;
- (c) existing and design levels;
- (d) longitudinal section from the road centreline to the truck and car space(s);
- (e) drainage (open drains, pipes, etc.), including calculations and catchment details;
- (f) required clearances heights are obtained;
- (g) Turning paths; and
- (h) Line-marking and signs.
- (i) Striker bars (or similar) to the undercover car parking areas of the RACF building.

The engineering plans and specifications must be designed by a qualified practising civil engineer. The civil engineer must be a corporate member of the Institution of Engineers Australia or must be eligible to become a corporate member and have appropriate experience and competence in the related field.

Reason: To ensure suitable vehicular access and manoeuvrability is provided within the development.

23. Internal driveway and path details

Prior to the issue of the Stage 3 construction certificate, plans and specifications detailing the internal road/driveway and paths that will service the Independent Living Units (ILU) portion of the site submitted to and approved by the certifying authority.

Vehicular access must have an impervious finish and be in accordance with:-

- the development consent approved plans,
- AS/NZS 2890.1-2004: Parking facilities, Part 1: Off-street car parking;
- AS 2890.2 Part 2: Off-street commercial vehicle facilities- for a minimum 8.8 m long MRV truck; and
- AS/NZS 2890.6: Parking facilities - Off-street parking for people with disabilities - where this parking is provided.

Where applicable the internal paths are to comply with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Plans must include the following items:

- (a) pavement description;
- (b) site conditions affecting the access;
- (c) existing and design levels;
- (d) longitudinal section from the road centreline to the car space(s);
- (e) pathway/s so that wheelchair access requirements as determined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 are achieved;
- (f) drainage (open drains, pipes, etc.), including calculations and catchment details;
- (g) Turning paths; and
- (h) Line-marking and signs.

The engineering plans and specifications must be designed by a qualified practising civil engineer. The civil engineer must be a corporate member of the Institution of Engineers Australia or must be eligible to become a corporate member and have appropriate experience and competence in the related field.

Reason: To ensure suitable vehicular access and manoeuvrability is provided within the development.

24. Stormwater details

Prior to the issue of a construction certificate for each stage, plans and specifications detailing the method of stormwater disposal from the site must be submitted to and approved by the certifying authority. The stormwater system must be designed to comply with the requirements of *Australian Standard AS/NZS 3500.3: Plumbing and drainage – Stormwater drainage*. The stormwater disposal system must be designed to discharge to the associated rain water tank and bio-retention system.

A suitable outlet pipeline and scour protection from each bio retention basin must be provided to drain to the adjacent open drain.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

25. Bond required to guarantee against damage to public land

Prior to the issue of a construction certificate for each stage, a Damage Bond Application form together with payment of a bond in the amount of \$6,000.00 and a non-refundable administration fee of \$310.50 must be submitted to Council. The bond is payable for the purpose of funding repairs to any damage that may result to Council assets from activities/works associated with the construction of the development and to ensure compliance with Council standards and specifications.

A final inspection will be carried out by the responsible Council officer and the bond (minus any fees required for additional inspections) will be considered for refund:

- (a) once all works, including landscaping, driveway construction, turfing, etc, have been completed, and
- (b) following issue of an occupation certificate by the certifying authority.

The damage bond is reviewed periodically and therefore the fee and bond amount payable will be determined from Council's current fees and charges document at the time of lodgement of the damage bond.

Reason: Protection of public assets.

26. Public liability insurance cover

Prior to the issue of a construction certificate for each stage, evidence of public liability insurance cover for a minimum of \$10 million must be submitted to the certifying authority. Council must be nominated as an interested party on the policy.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on or near public land.

27. Road dedication and splay corners

Prior to the issue of a construction certificate for Stage 3, dedication of public road over the part of the driveway/private road and footpath area that is adjacent to the proposed roundabout (at the intersection of Karloo Street and Thora Close). The dedication must be at no cost to Council and to Council satisfaction. Details showing the plan of road dedication must be submitted to and approved by Council.

Reason: To ensure public safety and the proper management of land.

28. Easement for Access

Prior to the issue of a construction certificate for Stage 5, creation of an easement for access over the bus shelter where it encroaches into the development site and the associated access area. The easement must be at no cost to Council and to Council satisfaction. Details showing the plan and 88B instrument for the creation of the easement must be submitted to and approved by Council.

Reason: To ensure public safety and the proper management of land.

An associated easement for access is to be created around the bus shelter in Kularoo Street.

29. Food premises fit out

Prior to the issue of a construction certificate for Stage 5 and 6, plans and specifications for the fit-out of the kitchen facilities (Residential Aged Care Facility & Club House) must be submitted to and approved by the certifying authority. The food premises must be constructed to comply with the requirements of the *Food Act 2003*, the *Food Standards Code* and the *Australian Standard AS 4674: Design, construction and fit-out of food premises* and include the following details:

- (a) A hand washing basin that is of an adequate size to allow hands and arms to be easily cleaned must be installed in all parts of the premises where open food is handled. Small domestic type hand wash basins are not adequate in commercial situations. The hand wash basins must be in addition to any wash-up sinks.
- (b) Hot and cold water to the hand wash basins must be delivered through a hands free mixer tap. The hand basins must be provided with liquid soap and single-use towels at all times.
- (c) All cupboards, benches and shelving must be constructed of materials that are smooth, impervious to moisture and able to be easily cleaned. Particular attention must be made to the underside of the benches to ensure that they are constructed so they are impervious and can be easily cleaned.
- (d) Ceiling, wall and floor finishes in the food premises must comply with *Australian Standard AS 4674: Design, construction and fit-out of food premises*.
- (e) Ceiling lights must be either installed flush with the ceiling surface or designed free from any features (such as ledges) that would harbour dirt, dust or insects or make the fitting difficult to clean.

- (f) Coving must be installed at the intersection of floors with walls in the food premises in accordance with *Australian Standard AS 4674: Design, construction and fit-out of food premises*. Coving must be integral to the surface finish of both floor and wall and installed in such a manner as to form a continuous uninterrupted surface.
- (g) Either a floor waste with a solids trap and stand alone tap or a cleaners sink (sluice sink) must be provided. Cleaners sinks must be provided with an adequate supply of hot and cold water and be located away from food preparation areas.

Reason: To ensure public health and safety.

30. Stormwater bio-retention systems design and construction

Prior to the issue of the construction certificates for the relevant stages as set out below, plans and specifications for the bioretention basins must be submitted to and be approved by Great Lakes Council.

Western bioretention basin (450m²) for treatment of runoff from Stages 1-7

- a) Prior to the issue of a construction certificate for Stage 1, plans and specifications of the stormwater management system, including the detailed design of the western bio-retention basin and its staged installation to ensure progressive compliance with water quality objectives for each stage of the development, must be submitted to and approved by Great Lakes Council.
- b) Part of the western bioretention basin must be constructed as a temporary sedimentation basin during civil works associated with Stage 1. The western bioretention basin must be installed consistent with the approved plans and specifications with the entire western bioretention basin installed and fully operational prior to the release of the occupation certificate for Stage 3.
- c) During civil works and construction of Stages 2, 3, 4 and 7, stormwater drainage shall be configured to avoid damage to the bioretention systems particularly the filter media.
- d) Inspection of the bioretention system shall occur at the completion of civil construction work for Stage 2, 3, 4 and 7 to ensure that sediment from construction areas has not entered the bioretention system and clogged the filter media.

Central Bioretention System (175 m²) for treatment of runoff from Stage 5

- a) Prior to the issue of a construction certificate for Stage 5, plans and specifications of the stormwater management system, including the detailed design of the central bio-retention basin must be submitted to and approved by Great Lakes Council.
- b) The central bioretention system shall be constructed as a temporary sedimentation basin during civil construction for Stage 5 but will be fully installed and operational prior to the release of the occupation certificate for Stage 5.

Eastern Bioretention System (175 m²) for treatment of runoff from Stage 6

- a) Prior to the issue of a construction certificate for Stage 6, plans and specifications of the stormwater management system, including the detailed design of the eastern bio-retention basin must be submitted to and approved by Great Lakes Council.
- b) The eastern bioretention system shall be constructed as a temporary sedimentation basin during civil construction for Stage 6 but will be fully installed and operational prior to the release of the occupation certificate for Stage 6.

Each bio-retention basin must meet the following criteria:

- Be designed in accordance with the approved Concept Stormwater Drainage Management Report and Plan and Water by Design (2006), 'Water Sensitive Urban Design – Technical Design Guidelines for South East Queensland', South East Queensland Healthy Waterways Partnership.
- Have a maximum surface storage depth of 0.4m and minimum surface storage depth of 0.1m, with a maximum batter/side slope of 1:5 (v:h), unless otherwise retained by a structural wall.
- Must have suitable access arrangements for operation and maintenance.
- Each bioretention system shall be planted with a minimum of 4 species selected from Great Lakes Council's Factsheet 15 " Local Plant Selection for Raingardens Guidance for Water Sensitive Design DCP 54" dated 24th Jan 2013. These plants are to be planted at a minimum density as identified in GLC Factsheet 15.
- The bioretention filter media shall be of uniform sandy loam texture and be consistent with the specifications contained in Adoption Guidelines for Stormwater Biofiltration Systems, Facility for Advancing Water Biofiltration, (Monash University, June 2009). Filter media must be tested by a NATA registered laboratory to confirm orthophosphate is a maximum 30 mg/kg.
- The bio-retention filter media shall be installed consistent with WSUD Engineering Procedures (Melbourne Water, 2005). Filter media shall be a minimum depth of 0.4 m. Filter media must be tested after installation to confirm infiltration rates are consistent with Adoption Guidelines for Stormwater Biofiltration Systems, Facility for Advancing Water Biofiltration, (Monash University, June 2009).
- During the 12 month establishment phase, the bioretention plants are to be maintained with regular irrigation and monitoring to ensure vegetation survival and maturity.

Reason: To ensure bioretention systems are installed consistent with standards so that water quality requirements are achieved.

31. BASIX Certificate

Prior to the issue of a construction certificate for the relevant stages, plans and specifications detailing all of the BASIX Certificate commitments for the multiple dwelling must be submitted to and approved by the certifying authority. The proposed development must be constructed in accordance with the requirements of BASIX Certificate No. 464239M dated 28 January 2013. Where changes to the development are proposed that may affect the water, thermal comfort or energy commitments, a new BASIX Certificate will be required.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

32. Security gates

In order to ensure that the basement car parks of the Residential Care Facility building are secure for residents, staff and visitors, security gates to each of the basement car parks shall be provided with intercom facilities at the car park entrance for visitors, capable of being accessed by people with a disability, in order to communicate with reception to allow entry. Details shall be submitted to the certifying authority prior to the issue of the construction certificate for Stage 5.

Reason: To ensure safety and security to the building.

33. Utility Services

Prior to the commencement of construction of each stage of the development, a public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.

Note that this condition has been applied so that the applicant/contractors are aware of and take measures to protect the utility services within and adjacent to the site during the construction and excavation works.

Reason: To maintain public assets.

34. Health requirements for beauty salons

Prior to the issue of a construction certificate for the relevant stage, plans and specifications for the fit-out of the hairdressing/beauty salon must be submitted to and approved by the certifying authority. The premises must be constructed to comply with the Local Government (General) Regulation 2005, Part 2 and Part 3 of Schedule 2, "Standards for Hairdressers Shops" and "Standards for Beauty Salons" respectively, and in accordance with the Public Health Act 2010, the Public Health Regulation 2012, and the NSW Health Departments " Skin Penetration and Skin Penetration, Code of Best Practice" (CoBP) 2001 and include the following details:

- (a) Coving must be provided to the floor and wall intersections in all operational rooms of the premises.
- (b) Floors and walls within all operational rooms must be constructed of or covered with material that is durable, smooth, impervious to moisture and capable of being easily cleaned.
- (c) A hand wash basin must be provided in each operational room of the premises.
- (d) Hot and cold water must be provided to the hand basin/s and must be mixed through a common spout at a temperature of at least forty (40) degrees Celsius. The hand basin/s must be dedicated for hand washing only.
- (e) Soap, paper towel and a paper towel dispenser must be provided next to the hand wash basin/s.
- (f) A sink for the cleaning of equipment that has a supply of hot and cold water mixed through a common spout at a temperature of at least (40) degrees centigrade must be provided. This sink must be in addition to any hand wash basins.
- (g) Walls behind all hand wash basin/s and sinks must be provided with impervious sheeting or tiles splashbacks. Splashbacks must extend from floor level, to a height of 450mm above and 150mm on either side of the respective unit.
- (h) Each operational room must be provided with furniture and fittings that are rigid, smooth and impervious to moisture. Particular attention must be made to the underside of benches to ensure that they are constructed so they can be easily cleaned.
- (i) An Australian Standards sharps container must be provided for the disposal of contaminated items and shall be disposed of by an approved waste contractor.

Reason: To ensure public health and safety.

35. External roofing material and colour

Metal roof sheeting must be painted or colour bonded to minimise reflection and to be sympathetic and compatible with the building and surrounding environment. Zincalume finish, 'Surfmist' or off-white colours are not permitted. Prior to the issue of a construction

certificate for the relevant stages, details of the external material and colour of the roof must be submitted to and approved by the certifying authority.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

36. Designing for noise impacts on the occupants of the dwelling

Prior to the issue of a construction certificate for Stage 5, plans and specifications must be submitted detailing the measures to reduce noise impacts on the building occupants from the removal of waste from the garbage and recycling area (vehicular movements and reversing horn) as approved by the certifying authority in satisfaction of the deferred commencement conditions. The building must be acoustically designed and constructed to meet the requirements of Australian Standard AS/NZS 2107: Acoustics - Recommended design sound levels and reverberation times for building interiors. Evidence from an appropriately qualified person that the design will achieve the requirements of the Australian standard must be submitted with the plans and specifications.

Reason: To maintain the amenity of building occupants.

37. Long Service Levy

Prior to the issue of a construction certificate for the relevant stages, a Long Service Levy must be paid to the Long Service Payments Corporation. The amount payable is currently based on 0.35% of the cost of the work. This is a State Government levy and is subject to change.

These payments may be made at Council's Customer Service Centres. Cheques must be made payable to Great Lakes Council.

Reason: Statutory requirement

38. Compliance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Prior to the issue of any relevant construction certificate, details and plans must demonstrate that the self-contained dwellings and that part of the development that contains the self-contained dwellings comply with the standards for accessibility and useability for hostels and self-contained dwellings as set out in Schedule 3 Part 1 and Part 2 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, in particular the following requirements:-

- (a) Wheelchair access:
 - (i) 100% of the dwellings must have wheelchair access by a continuous accessible path of travel to an adjoining public road,
 - (ii) access must be provided in accordance with Australian Standard (AS) 1428.1 to common areas and facilities.
- (b) Security:
 - (i) pathway lighting must be designed and located to avoid glare for pedestrians and adjacent dwellings, and
 - (ii) must be at 20 lux (minimum) at ground level.
- (c) Letterboxes:

- (i) Letterboxes must be situated on a hard stand area and have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1), and
 - (ii) Letterboxes must be lockable and located in a central location adjacent to the street entry or located together in one or more central locations adjacent to the street entry.
- (d) Private car accommodation
 - (i) At least ten (10) car parking spaces provided for the self-contained dwellings must comply with the requirements for parking for persons with a disability as set out in AS 2890, and
 - (ii) at least one space of the total number of the required car parking spaces must be designed to enable the width of the space to be increased to 3.8m
 - (iii) all garages must have a power-operated door, or there must be a power point and an area for motor or control rods to enable a power-operated door to be installed at a later date.
- (e) Accessible entry:
 - (i) every entry (front door or not) must comply with Clauses 4.3.1 & 4.3.2 of AS 4299.
- (f) Interior: general:
 - (i) internal doorways must have a minimum clear opening complying with AS 1428.1,
 - (ii) internal corridors must have a minimum unobstructed width of 1m, and
 - (iii) circulation space at approaches to internal doorways must comply with AS 1428.1.
- (g) Bedroom:

At least one bedroom within each dwelling must have:-

 - (i) an area sufficient to accommodate a wardrobe and a queen size bed, and
 - (ii) a clear area for the bed of at least 1.2m at the foot of the bed and 1m beside the bed between it and the wall, wardrobe or any other obstruction, and
 - (iii) two (2) double general power outlets on the wall where the head of the bed is likely to be, and
 - (iv) a minimum of one (1) general power outlet on the wall opposite the bed where the head of the bed is likely to be, and
 - (v) a telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet.
 - (vi) wiring to allow a potential illumination level of 300 lux (minimum).
- (h) Bathroom:

At least one bathroom within a dwelling must be on the ground or main floor with the following facilities arranged with circulation space for sanitary facilities complying with AS 1428.1:-

- (i) a slip-resistant floor surface,
 - (ii) a washbasin with plumbing that allows, either immediately or in the future, clearances complying with AS 1428.1,
 - (iii) a shower complying with AS 1428.1 except that the following must be accommodated either immediately or in the future:
 - a grab rail,
 - a portable shower head,
 - a folding seat.
 - (iv) a wall cabinet sufficiently illuminate to read labels of stored items.
 - (v) a double general power outlet beside the mirror.
- (i) Toilet:
 - (i) at least one toilet within a dwelling must be on the ground or main floor level, and
 - (ii) must be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.
- (j) Surface finishes:
 - (i) balconies and external paved areas must have slip-resistant surfaces in accordance with AS 1428.1.
- (k) Door hardware:
 - (i) door handles and hardware must be provided in accordance with AS 4299.
- (l) Ancillary items:
 - (i) switches and power points must be provided in accordance with AS 4299.
- (m) Living room and dining room:
 - (i) a living room must have:
 - a circulation space in accordance with Clause 4.7.1 of AS 4299, and
 - a telephone adjacent to the a general power outlet
 - (ii) a living room and dining room must have wiring to allow a minimum potential illumination level of 300 lux.
- (n) Each kitchen in a self -contained dwelling must have:
 - (i) a circulation space in accordance with Clause 4.5.2 of AS 4299, and
 - (ii) a circulation space at door approaches that complies with AS 1428.1, and
 - (iii) the following fittings in accordance with the relevant subclauses of Clause 4.5 of AS 4299:
 - benches that include at least one work surface of a minimum 800mm in length that comply with Clauses 4.5.5 (a),and
 - a tap set in accordance with Clause 4.5.6,and

- cooktops in accordance with Clause 4.5.7, except that an isolating switch must be included, and
 - an oven in accordance with Clause 4.5.8, and
- (iv) "D" pull cupboard handles that are located towards the top of the below-bench cupboards and towards the bottom of overhead cupboards, and
- (v) a minimum of one(1) double general power outlet within 300mm of the front of the work surface and one general power outlet provided for a refrigerator in a position that is easily acceptable after the refrigerator is installed.
- (o) Laundry
- Each self-contained dwelling must have a laundry that has:
- (i) a circulation space at door approaches that complies with AS 1428.1, and
 - (ii) provision for the installation of an automatic washing machine and a clothes dryer,
 - (iii) a clear space in front of the appliances of at least 1300mm, and
 - (iv) a slip-resistant floor surface , and
 - (v) an accessible path of travel to any clothes line provided for the dwelling.
- (p) Storage for linen
- (i) Each self-contained dwelling must be provided with a linen storage in accordance with Clause 4.11.5 of AS 4299.

C PRIOR TO THE COMMENCEMENT OF ANY WORK ASSOCIATED WITH THIS CONSENT

The following conditions must be satisfied prior the commencement of any excavation, building or construction work.

39. Dilapidation Report

A dilapidation report prepared by a professional engineer or suitably qualified and experienced building surveyor shall be submitted to the certifying authority prior to the commencement of excavation or building works detailing the current condition and status of all buildings, including ancillary structures (i.e. including dwellings, garages, carports, verandahs, fences, retaining walls, swimming pools and driveways etc.) located upon all of the premises adjoining the subject site.

The report is to be supported with photographic evidence of the status and condition of the buildings and a copy of the report must also be forwarded to the Council and to the owners of each of the above-stated premises, prior to the commencement of any works.

Reason: To enable clear documentation of any damage from excavation and construction works.

40. Construction certificate required

Prior to the commencement of any building or construction work (including excavation), a construction certificate must be issued by a certifying authority.

Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 6591 7222.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

41. Notification of commencement and appointment of principal certifying authority

Prior to the commencement of any building or subdivision construction work (including excavation), the person having the benefit of the development consent must appoint a principal certifying authority and give at least two (2) days notice to Council, in writing, of the persons intention to commence construction work.

Reason: Statutory requirement under the *Environmental Planning and Assessment Act 1979*.

42. Site access

Public access to the site and building works, materials and equipment on the site is to be restricted, when building work is not in progress or the site is unoccupied. The public safety provisions must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

Reason: To ensure public health and safety during the construction of the development.

43. Pollution prevention sign

Council's "PREVENT POLLUTION" sign must be erected and maintained in a prominent position at the frontage of the property so that it is clearly visible to the public for the duration of construction work.

Council's PREVENT POLLUTION sign can be purchased at Council's Customer Enquiry Counter at the Forster, Tea Gardens and Stroud administration buildings.

Reason: To increase industry and community awareness of developer's obligations to prevent pollution and to assist in ensuring compliance with the statutory provisions of the *Protection of the Environment Operations Act 1997*.

44. Toilet facilities - sewerred areas

Prior to the commencement of work, toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet connected to a public sewer.

Reason: To maintain public health.

45. Site construction sign

Prior to the commencement of work, a sign or signs must be erected in a prominent position at the frontage to the site.

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

D CONDITIONS WHICH MUST BE SATISFIED DURING ANY DEVELOPMENT WORK

The following conditions must be complied with during any development work.

46. Maintenance of erosion and sediment control measures in accordance with approved plan

Erosion and sediment control measures must be maintained at all times in accordance with the approved erosion and sediment control plan until the site has been stabilised by permanent vegetation cover or hard surface.

Reason: To protect the environment from the effects of erosion and sedimentation.

47. Construction times

Construction and/or demolition works, including deliveries on or to the site must not unreasonably interfere with the amenity of the neighbourhood and must occur only in accordance with the following:

Monday to Friday, from 7am to 6pm.

Saturday, from 8am to 1pm.

No construction and/or demolition work, including deliveries are to take place on Sundays or Public Holidays.

Reason: To maintain amenity during construction of the development.

48. Building materials, finishes and colours

All external building materials, finishes and colours must be in accordance with the submitted detailed finishes schedule contained as Annexure '2' to this consent, as amended by Condition 35 of this consent relating to non reflective external roofing material.

Reason: To ensure the visual amenity of the streetscape.

49. Construction dust suppression

All necessary works must be undertaken to control dust pollution from the site. These works must include, but are not limited to:

- (a) restricting topsoil removal;
- (b) regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion;
- (c) alter or cease construction work during periods of high wind;

- (d) erect green or black shade cloth mesh or similar products, 1.8m high around the perimeter of the site and around every level of the building under construction.

Reason: To maintain amenity during construction of the development.

50. Builders rubbish to be contained on site

All builders rubbish is to be contained on the site in a suitable waste bin/enclosure. Building materials must be delivered directly onto the property. Footpaths, road reserves and public reserves must be maintained clear of rubbish, building materials and other items at all times.

Reason: To ensure that materials and waste do not adversely affect traffic or pedestrian safety and amenity.

51. Compliance with waste management plan

During demolition and/or construction of the development, waste disposal must be carried out in accordance with the approved waste management plan.

Reason: To ensure waste is minimised and recovered for recycling where possible.

52. Survey of building location

A survey certificate prepared by a registered surveyor must be submitted to the certifying authority at the following stages of the development:

- (a) Prior to the construction of footings or first completed floor slab showing the area of land, building under construction and boundary setbacks.
- (b) At each level indicating the level of that floor to Australian Height Datum (AHD).
- (c) At completion, indicating the relation of the building and any projections to the boundaries and that the building has been erected to the levels approved in the development consent.

Reason: To ensure compliance with the approved plans.

53. Aboriginal heritage

This consent does not authorise the harming of an Aboriginal object or place. Under the *National Parks and Wildlife Act 1974*, it is the responsibility of all persons to ensure that harm does not occur to an Aboriginal object or place. If an Aboriginal object is found, whilst undertaking development work, all work must stop and the NSW Office of Environment and Heritage notified. All directions of the Office of Environment and Heritage must be complied with at all times.

Reason: To protect Aboriginal heritage.

54. Bioretention systems

The following applies to the bioretention systems during construction:

Western bioretention basin (450m²) for treatment of run-off from Stages 1-7

- (a) Part of the western bioretention basin must be constructed as a temporary sedimentation basin during civil works associated with Stage 1 and must be installed consistent with the approved plans and specifications with the entire

- western bioretention basin installed and fully operational prior to the release of the occupation certificate for Stage 3.
- (b) During civil works and construction of Stages 2, 3, 4 and 7, stormwater drainage shall be configured to avoid damage to the bioretention systems particularly the filter media.
- (c) Inspection of the bioretention system shall occur at the completion of civil construction work for Stage 2, 3, 4 and 7 to ensure that sediment from construction areas has not entered the bioretention system and clogged the filter media.

Central Bioretention System (175 m²) for treatment of runoff from Stage 5

- (d) The central bioretention system shall be constructed as a temporary sedimentation basin during civil construction for Stage 5 but will be fully installed and operational prior to the release of the occupation certificate for Stage 5.

Eastern Bioretention System (175 m²) for treatment of runoff from Stage 6

- (e) The eastern bioretention system shall be constructed as a temporary sedimentation basin during civil construction for Stage 6 but will be fully installed and operational prior to the release of the occupation certificate for Stage 6.

55. Inspection of bio-retention system and associated drainage network

Each bioretention system must be inspected during construction by a suitably qualified stormwater engineer to verify compliance with the approved plans. Inspections must be carried out and verified in accordance with the sign off forms in 'Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands' Healthy Waterways, 2010 and include but not be limited to:

- (a) Earthworks and functional (hydraulic) structures, lining of the sides of the bioretention and under drainage (if applicable) prior to covering in.
- (b) Bioretention media
- (c) Finished levels
- (d) Coarse sediment forebay (where applicable)
- (e) landscape installation

Reason: To ensure that the bioretention systems are constructed in accordance with approved plans and standards and conditions of consent.

56. Arborist Supervision

A qualified arborist, who holds a Diploma of Horticulture (Arboriculture) Australian Qualification Framework (AQF 5) or equivalent with demonstrated experience in high level tree assessment and diagnosis will supervise construction works within the tree protection zones of Tree 15 and Tree 16 as identified in the "Tree Assessment and Protection Recommendations" report prepared by Syncarpia Vegetation Management, dated June 2013, including pruning of Tree 15 and Tree 16, and all works associated with translocating/ transplanting Tree 17 as described in the Amended Translocation/ Transplantation Plan required in these Conditions.

Reason: To ensure retained trees are not harmed during construction for the approved development.

57. Pier and Beam Construction within TPZ of Tree 15 and Tree 16

The Registered Proprietor of the land, or their agents, shall use pier and beam construction of the concrete slab within the tree protection zone of Tree 15 and Tree 16 as identified in the "Tree Assessment and Protection Recommendations" report prepared by Syncarpia Vegetation Management, dated June 2013.

Reason: To ensure the adequate tree protection measures during construction of the approved development.

58. Implementation of Amended Translocation/ Transplantation Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Translocation/ Transplantation Plan that is required to satisfy the Deferred Commencement Conditions of this consent.

Reason: To ensure the successful translocation/ transplantation of Tree 17.

59. Implementation of Amended Tree Management Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Tree Management Plan that is required to satisfy the Deferred Commencement Conditions of this consent.

Reason: To ensure that trees on the subject land are adequately protected and managed during the relevant stages of the construction.

60. Tree Removal

Only those trees that are identified to be removed as annotated on the Final Landscape Plan (as required by the Deferred Commencement Conditions of this consent) shall be removed for the purpose of the approved development.

All other trees on the land shall be protected and managed in accordance with the relevant statutory controls, including Council's Tree Preservation Order and the conditions of this consent.

Reason: To minimise the removal of trees for the approved development.

61. Procedure for the Removal of Trees

During the physical removal of the approved trees, the following shall be adopted at all times:

- Tree removal shall be conducted by licensed and qualified arborists or tree removal contractors.
- Removal of approved trees shall be conducted using dismantling and lowering only and in a manner that protects trees that are to be retained on the land.
- Removal of approved trees shall be conducted in a manner that avoids the movement of machinery in the root zones of trees that are to be retained on the land.
- Any deliberate or accidental damage to trees that are to be retained during the construction of the dwelling shall be reported immediately to Council's Tree Management Officer. Remediation or repair actions identified by this officer shall be conducted on the land to assist minimise the harm associated with any such damage.

The construction works shall be conducted in a manner that avoids impact, harm or removal trees that are to be retained and stockpiles, machinery and equipment shall not

be used or placed in the root zones of trees that are to be retained. Landform modification (cut/ fill) shall not occur in the root zones of trees that are to be retained.

Reason: To protect significant trees and minimise the impacts of the development on native vegetation.

62. Tree Protection

Those trees that are identified to be retained on the Final Landscape Plan shall be protected from direct and indirect harm associated with the approved construction. Tree protection fencing shall be erected around all trees proposed for retention prior to any construction works on the subject land and in accordance with the "Tree Assessment and Protection Recommendations" report prepared by Syncarpia Vegetation Management, dated June 2013 and in accordance with the Tree Management Plan required by these conditions as well as reference to AS4970-2009 Protection of Trees on Development Sites. Tree protection fencing must be supervised by a qualified arborist during construction to ensure compliance. Tree protection fencing shall be erected 5-metres to the north, south and east and a minimum of 3-metres to the west of Tree 15 and Tree 16.

Reason: To protect trees that are to be retained.

E CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions must be satisfied prior to any occupation or use of the building

63. Works to be completed

The building/structure or part thereof must not be occupied or used until an interim occupation/final occupation certificate has been issued in respect of the building or part.

Reason: To ensure compliance with the development consent and statutory requirements.

64. Completion of works

Prior to the issue of a final occupation certificate for each stage, all roads, drainage and civil works, required by this development consent and associated construction certificate, must be completed. Works must include the restoration, replacement and/or reconstruction of any damage caused to surrounding public infrastructure, including damage to road pavements along any haulage routes used for the construction of the development.

Reason: To ensure civil works are appropriately constructed.

65. Inspections of engineering work.

Prior to the issue of a final occupation certificate for each stage, all engineering works for the associated stage must comply with Council's engineering guidelines, specifications and standards and must be inspected in accordance with Council's holding points. Upon completion of the public works a final inspection must be arranged with Council and a Certificate of Practical Completion must be issued by Council.

Reason: To ensure compliance with Council's specification for engineering works.

66. Underground electricity

Prior to the issue of each staged final occupation certificate, written evidence must be provided to the principal certifying authority stating that satisfactory arrangements have been made with an electricity supply authority for the provision of underground electricity supply to the development.

Reason: To ensure compliance with the Council/energy supply authority policy for the provision of underground power supply.

67. Completion of car parking areas and provision of signs

Prior to the issue of each staged occupation certificate, any associated car parking areas must be constructed in accordance with the approved plans and be fully line-marked as required. For Stages 5 and 6 signs must be erected clearly indicating the availability of off-street parking and the location of entry/exit points, visible from both the street and the subject site.

Reason: To ensure that adequate parking facilities for the development are provided on site.

68. Sealed driveway in accordance with approved Driveways Level Application

Prior to the issue of each staged final occupation certificate, all associated driveways must be constructed from the edge of the road formation to the property boundary in accordance with the approved Driveway Levels Application/s.

Reason: To ensure suitable vehicular access to the development.

69. Street numbering

Prior to the issue of each staged final occupation certificate, street numbering must be provided to each premises in Kularoo Drive and Karloo Street in a prominent position, to the satisfaction of Council.

Reason: To ensure appropriate building identification

70. Completion of car parking areas

Prior to the issue of final occupation certificate for Stage 5, the 70 car parking spaces within Stage 6 part of the RACF building are also to be constructed. The construction is to include the concrete floor of the above level.

Reason: To ensure adequate on-site parking.

71. Internal driveway in accordance with the approved plans

Prior to the issue of each staged final occupation certificate, a driveway must be constructed from the property boundary to the proposed car spaces in accordance with the approved plans.

Reason: To ensure suitable vehicular access is provided to the development.

72. Stormwater drainage work

Prior to the issue of each staged occupation certificate, stormwater must be collected and drained to the proposed bio retention systems then to the open drain at the southern side of the development site. All drainage works must be installed by a suitably qualified

person and in accordance with the requirements of Australian Standard AS/NZS 3500.3: Plumbing and drainage – Stormwater drainage.

Reason: To ensure compliance with the development consent and statutory requirements.

73. Bio-retention system

Prior to the issue of the final occupation certificate for each stage, the bio-retention stormwater drainage system must be installed in accordance with the approved stormwater drainage plans and the following:

Western bioretention basin (450m²) for treatment of runoff from Stages 1-7

- (a) The western bioretention basin must be installed consistent with the approved plans and specifications with the entire western bioretention basin installed and fully operational prior to the release of the occupation certificate for Stage 3.

Central Bioretention System (175 m²) for treatment of runoff from Stage 5

- (b) The central bioretention system must be fully installed and operational prior to the release of the occupation certificate for Stage 5.

Eastern Bioretention System (175 m²) for treatment of runoff from Stage 6

- (c) The eastern bioretention system must be fully installed and operational prior to the release of the occupation certificate for Stage 6.

A gross pollutant trap shall be installed at the end of each drainage line before discharging to the particular bioretention system consistent with the Concept Stormwater Drainage Plan prepared by Coastplan Group Pty Ltd (Drawing SO1 as revised March 2013).

Reason: To ensure adequate provision is made for stormwater drainage and ensure the quality of the stormwater from the site meets Council's standards.

74. Rainwater Tanks

Prior to the issue of a final occupation certificate for each stage, rainwater tank/tank-stand installations must be in accordance with manufacturer's details, be structurally sound and meet the following requirements:

- (a) A rainwater tank of minimum size 1200 litres plumbed for reuse for each duplex consistent with the commitments of the relevant associated BASIX certificate.
- (b) Rainwater collection tanks of minimum total storage capacity of 20,000 litres connected to 100% of the roof area of the Residential Aged Care Facility building for reuse internally and for outdoor landscape irrigation.

All taps connected to the rainwater tanks are to be identified as 'Rainwater' with a sign complying with AS1319. Overflow from tanks is to be connected to the stormwater drainage line for subsequent treatment in the respective bioretention system.

Reason: To ensure adequate stormwater treatment and management.

75. BASIX Compliance

Prior to the issue of a final occupation certificate for each stage, all of the required commitments listed in the BASIX certificate must be fulfilled.

Reason: Prescribed condition under the *Environmental Planning and Assessment Regulation 2000*.

76. Survey certificate of complete building

Prior to the issue of a final occupation certificate for buildings in each stage, survey certificates from a registered surveyor must be submitted to the principal certifying authority upon completion of the building verifying that the building and any projections to the boundaries are in accordance with the approved plans and that the building has been erected to the levels approved in the development consent.

Reason: To determine the height of buildings under construction and ensure compliance with the approved plans.

77. Inspections of engineering work.

Prior to the issue of the final occupation certificate for each stage, all engineering work must comply with Council's engineering guidelines, specifications and standards and must be inspected in accordance with Council's holding points. Upon completion of the public works a final inspection must be arranged with Council and a Certificate of Practical Completion must be issued by Council.

Reason: To ensure compliance with Council's specification for engineering works.

78. Street tree/public domain planting

Prior to the issue of the final occupation certificate for Stages 1, 2 and 5, street tree/public domain planting must be installed in accordance with the following schedule:

- (a) *Cupaniopsis anacardioides* Tuckeroo - within the required kerb blisters/islands in Kularoo Drive (stages 2 and 5);
- (b) *Syzygium Luehmannii* Cherry Myrtle - adjacent to each villa in Karloo Street (stage 1)
- (c) *Melaleuca quinquenervia* Paperbarks - along the northern side of the drainage reserve adjacent to the southern site boundary at six (6) metre intervals, with permanent tree guards.
- (d) 20 litre pot size,
- (e) be protected by a suitable tree guard,
- (f) provided with slow release fertiliser,
- (g) Be mulched with 100mm of native tree mulch.
- (h) Planted in general accordance with Council standard drawing STD 172.
- (i) Maintained for a minimum 18 months that is over 2 growing seasons.

Reason: To maintain environmental and streetscape amenity.

79. Bicycle parking

Prior to the issue of final occupation certificate for Stage 5, the applicant must provide 3 (three) Class 2 bicycle compound and 5 (five) Class 3 rails in accordance with AS 2890.3 Bicycle Parking facilities in accordance with the approved plans.

Reason: To encourage active living.

80. Works-as-executed plans

Prior to the issue of a final occupation certificate for Stages 1, 2, 3 and 5 and for the completed development, works-as-executed plans, certified by a suitably qualified engineer or a registered surveyor, must be submitted to Council. Where the design is carried out utilising computer aided design (CAD), all CAD computer files must be provided on compact disc (CD) with the final drawings. The CAD files must include all lot and road boundaries, and easements. The data must be supplied in accordance with the requirements of Council's GIS Officer.

Reason: To provide Council with accurate records of civil works.

81. Implementation of noise attenuation methods

Prior to the issue of any occupation certificate for the Residential Care Facility building, noise attenuation methods required by the acoustic engineer or any additional noise attenuation works required by this consent must be implemented and the completed works certified by the acoustic engineer.

Reason: To ensure compliance with the development consent and to maintain acoustic amenity.

82. Soundproofing of mechanical equipment

Prior to the issue of any final occupation certificate, all mechanical equipment must be adequately soundproofed so as not to create offensive noise as defined under the *Protection of the Environmental Operations Act 1997* and regulations.

Reason: To maintain the acoustic amenity of surrounding properties.

83. Mechanical ventilation

Prior to the issue of a final occupation certificate for the Residential Care Facility building, certification from a mechanical engineer must be submitted to the principal certifying authority confirming that the mechanical ventilation system complies with *Australian AS/NZS 1668.1 AS/NZS 1668.2: The use of Ventilation and Air-conditioning in buildings*.

Reason: To ensure public health and safety.

84. Food notification

Prior to the issue of an occupation certificate for the Residential Care Facility building, a food notification must be completed through Council or on the internet at <http://www.foodnotify.nsw.gov.au>

Reason: To ensure public health and safety.

85. Health inspection

Prior to the issue of an occupation certificate for the Clubhouse and/or the Residential Care Facility building, a final inspection of the premises must be undertaken by Council's Environmental Health Officer.

Reason: To ensure public health and safety.

86. Implementation of the Approved Final Landscape Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Approved Final Landscape Plan as per the instructions set-out in that Plan. The relevant occupation certificate for each stage of the development shall not be issued until such time as the required landscaping set-out in the Final Landscaping Plan has been appropriately established. In particular the occupation certificate for Stage 1 of the proposed development must not be issued until the landscape planting along the eastern and southern boundaries of the Residential Care Facility building has been undertaken.

Reason: To appropriately conduct landscaping on the subject land.

87. Implementation of the Approved Amended Translocation/ Transplantation Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Amended Translocation/ Transplantation Plan as required prior to the issuing of the relevant occupation certificate.

Reason: To appropriately maintain translocated/ transplanted trees in landscaping of the subject land.

88. Implementation of the Approved Tree Management Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Approved Tree Management Plan as per the instructions set-out in that Plan. The relevant occupation certificate for each stage of the development shall not be issued until such time as the required tree management requirements set-out in the Approved Tree Management Plan has been appropriately undertaken.

Reason: To appropriately manage trees on the subject land.

F CONDITIONS WHICH MUST BE SATISFIED DURING THE ONGOING USE OF THE DEVELOPMENT

The following conditions must be satisfied during the Ongoing use of the development:

89. Implementation of noise attenuation methods

One month after the use has commenced an acoustic report must be submitted to Council. This report must assess noise emission from the development, including from the removal of waste from the garbage and recycling area (vehicular movements and reversing horn), any heat pumps, air conditioning and mechanical ventilation, the effectiveness of the noise attenuation methods and compliance or otherwise with the appropriate maximum noise level as well as any additional measures required to achieve compliance with the appropriate maximum noise level.

Should additional noise attenuation measures be required to achieve compliance, they must be installed within 30 days of Council approval of the reported measures. Certification from a suitably qualified person must be submitted to council verifying that the additional measures have achieved compliance with the appropriate maximum noise level.

Reason: To ensure compliance with the development consent and to maintain acoustic amenity.

90. Hairdressing/Beauty Salons/Skin Penetration

The premises must at all times comply with the requirements of the Local Government (General) Regulation 2005, Public Health Act 2010 and the Public Health Regulation 2012.

Reason: To ensure public health

91. Noise

Noise associated with the premises including all associated mechanical plant and equipment must not be a source of "offensive noise" at the nearest affected premises:

"offensive noise" is defined under the *Protection of the Environment Operations Act 1997* as noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulation.

Reason:

92. Regulated systems

Any Regulated system, as prescribed by the Public Health Act 2010, that is installed on the premises shall comply with the requirements of the Public Health Act 2010, Public Health Regulation 2012, and the relevant Australian Standard for that regulated system. The occupier of the premises at which the regulated system is installed must cause notice of that fact to be given to Great Lakes Council within one month of becoming the occupier of the premises. Details will include the number of regulated systems installed, specifications of the regulated system and any necessary compliance certificates.

Reason: To ensure public health and safety

93. Water quality

The final Concept Stormwater Drainage Management Report and accompanying Plan, additional information provided on 19th March 2013 prepared by Coastplan Consulting relating to maintenance measures, detailed designs and all treatment components approved by Council shall be constructed and maintained for the life of the development to ensure ongoing compliance with Council's water quality objectives.

Reason: To ensure ongoing functioning of the stormwater system as per modelled and approved plan.

94. Ongoing maintenance of food premises

The food premises must at all times comply with the requirements of the *Food Act 2003*, the Food Standards Code and *Australian Standard 4674 - 2004 Design, construction and fit-out of food premises*.

Reason: To maintain public health and safety.

95. Implementation of the approved final landscape plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Approved Final Landscape Plan, as per the instructions set-out in that Plan, for the life of the approved development.

Reason: To appropriately maintain landscaping on the subject land and replace/ renew landscaping as required.

96. Implementation of the amended tree translocation/ transplantation Plan

The Registered Proprietor of the land, or their agents, shall fully implement all of the required actions outlined in the Amended Tree Translocation/ Transplantation Plan.

Reason: To appropriately maintain translocated/ transplanted trees in landscaping of the subject land.

97. Ongoing Tree Management

The Registered Proprietor of the land, or their agents, shall maintain and manage trees on the subject land in accordance with the Approved Tree Management Plan in these conditions and other statutory requirements.

Reason: To appropriately manage trees on the subject land.

G Other Agency Conditions

98. MidCoast Water approval

Prior to the issue of a construction certificate for each stage, a Certificate of compliance from MidCoast Water, stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development, must be submitted to the certifying authority.

Reason: To ensure suitable water and sewage disposal is provided to the development.

99. MidCoast Water approval

Prior to the issue of a final/interim occupation certificate for each stage, a certificate of compliance from MidCoast Water, stating that satisfactory arrangements have been made and all payments finalised for the provision of water supply and sewerage to the development, must be submitted to the principal certifying authority.

Reason: To ensure suitable water and sewage disposal is provided to the development.

Annexure '1': Native Species Plant List Appropriate for Landscaping of DA 249/ 2013 by Ryan Sims on 22 August 2013.

It is acknowledged that the below list is not exhaustive, but may include species that are not commercially available.

Family	Genus	Species	Common Name
Acanthaceae	Brunoniella	australis	Blue Trumpet
Acanthaceae	Pseuderanthemum	variabile	Pastel Flower
Adiantaceae	Adiantum	aethiopicum	Common Maidenhair
Adiantaceae	Adiantum	hispidulum	Rough Maidenhair
Agavaceae	Cordyline	stricta	Narrow-leaf Palm Lily
Aizoaceae	Carpobrotus	glaucescens	
Aizoaceae	Tetragonia	tetragonoides	
Amaranthaceae	Alternanthera	denticulata	Lesser Joyweed
Anacardiaceae	Euroschinus	falcata var falcata	Ribbonwood
Antheriaceae	Caesia	parviflora var parviflora	Pale Grass Lily
Apiaceae	Actinotus	helianthi	Flannel Flower
Apiaceae	Centella	asiatica	Pennywort
Apiaceae	Hydrocotyle	peduncularis	
Apiaceae	Hydrocotyle	verticillata	Shield Pennywort
Apiaceae	Platysace	ericoides	Heathy Platysace
Apiaceae	Platysace	lanceolata	Platysace
Apiaceae	Trachymene	incisa ssp incisa	Native Parsnip
Apiaceae	Xanthosia	pilosa	Wooly Xanthosia
Apocynaceae	Parsonsia	straminea	Wonga Vine
Apocynaceae	Parsonsia	velutina	Hairy Silkpod
Araceae	Livistona	australis	Cabbage Tree Palm
Araceae	Alocasia	brisbanensis	Alocasia
Araceae	Gymnostachys	anceps	Settler's Flax
Araliaceae	Polyscias	elegans	Silver Basswood
Araliaceae	Polyscias	sambuccifolia	Elderberry Panax
Asclepiadaceae	Cynanchum	elegans	White-flowered Wax Plant
Asclepiadaceae	Marsdenia	rostrata	Common Milk Vine
Asclepiadaceae	Tylophora	barbarta	Bearded Tylophora
Asclepiadaceae	Tylophora	paniculata	Thin-leaved Tylophora
Asteraceae	Cassinia	aculeata	Dolly Bush
Asteraceae	Cotula	coronopifolia	Water Buttons
Asteraceae	Leptinella	longipes	Buttons
Asteraceae	Ozothamnus	diosmifolius	White Dogwood
Asteraceae	Senecio	lautus	Variable Groundsel
Asteraceae	Vernonia	cinerea var cinerea	
Bignoniaceae	Pandorea	jasminoides	Bower Vine
Bignoniaceae	Pandorea	pandorana	Wonga Wonga Vine
Blandfordiaceae	Blandfordia	grandiflora	Christmas Bells
Blechnaceae	Blechnum	camfieldii	
Blechnaceae	Blechnum	cartilagineum	Gristle Fern
Blechnaceae	Blechnum	indicum	Swamp Water Fern
Blechnaceae	Doodia	aspera	
Campanulaceae	Wahlenbergia	stricta	Tall Bluebell

Capparidaceae	Capparis	arborea	
Cassythaceae	Cassytha	glabella forma glabella	
Cassythaceae	Cassytha	paniculata	
Cassythaceae	Cassytha	pubescens	
Casuarinaceae	Allocasuarina	littoralis	Black Forest Oak
Casuarinaceae	Allocasuarina	torulosa	Forest Oak
Casuarinaceae	Allocasuarina	distyla	
Casuarinaceae	Casuarina	glauca	Swamp Oak
Celastraceae	Cassine	australis var australis	Red-fruited Olive-plum
Chenopodiaceae	Einadia	hastata	Berry Saltbush
Chenopodiaceae	Rhagodia	candolleana ssp candolleana	
Chenopodiaceae	Sarcocornia	quinqueflora ssp quinqueflora	
Chenopodiaceae	Suaeda	australis	
Chloanthaceae	Chloanthos	parviflora	
Chloanthaceae	Chloanthos	stoechadis	Chloanthos
Commelinaceae	Aneilema	acuminatum	White Wandering Jew
Commelinaceae	Commelina	cyanea	Scurvy Weed
Convolvulaceae	Dichondra	repens	Kidney Weed
Convolvulaceae	Polymeria	calycina	Swamp Bindweed
Cunoniaceae	Aphanopetalum	resinosum	Gum Vine
Cyperaceae	Baumea	junceae	A Sedge
Cyperaceae	Baumea	rubiginosa	A Sedge
Cyperaceae	Bulboschoenus	caldwellii	
Cyperaceae	Carex	appressa	Sedge
Cyperaceae	Carex	polyantha	A Sedge
Cyperaceae	Carex	pumila	Sedge
Cyperaceae	Caustis	recurvata	Curly Wig
Cyperaceae	Chorizandra	cymbaria	Sedge
Cyperaceae	Cyperus	imbecillis	
Cyperaceae	Cyperus	polystachyos	Sedge
Cyperaceae	Eleocharis	equisetina	A Spike-rush
Cyperaceae	Eleocharis	sphacelata	Tall Spike-rush
Cyperaceae	Gahnia	aspera	Saw Sedge
Cyperaceae	Gahnia	clarkei	Saw Sedge
Cyperaceae	Gahnia	melanocarpa	Saw Sedge
Cyperaceae	Gahnia	sieberiana	Saw Sedge
Cyperaceae	Isolepis	nodosa	Knobby Club-rush
Cyperaceae	Lepidosperma	gunni	
Cyperaceae	Lepidosperma	laterale	Variable Sword Sedge
Cyperaceae	Schoenus	brevifolius	A Sedge
Cyperaceae	Schoenus	ericetorum	Bog-rush
Davalliaceae	Davallia	pyxidata	Hares-foot Fern
Dennstaedtiaceae	Histiopteris	incisa	Batswing Fern
Dennstaedtiaceae	Hypolepis	glandulifera	
Dennstaedtiaceae	Hypolepis	muelleri	Harsh Ground Fern
Dennstaedtiaceae	Pteridium	esculentum	Bracken
Dicksoniaceae	Calochlaena	dubia	Common Ground Fern
Dilleniaceae	Hibbertia	acicularis	
Dilleniaceae	Hibbertia	aspera	

Dilleniaceae	Hibbertia	dentata	Twining Guinea Flower
Dilleniaceae	Hibbertia	fasciculata	
Dilleniaceae	Hibbertia	linearis	
Dilleniaceae	Hibbertia	obtusifolia	
Dilleniaceae	Hibbertia	scandens	Climbing Guinea Flower
Dioscoreaceae	Dioscorea	transversa	Native Yam
Droseraceae	Drosera	spatulata	
Dryopteridaceae	Lastreopsis	decomposita	Trim Shield Fern
Ebenaceae	Diospyros	australis	Black Plum
Elaeocarpaceae	Elaeocarpus	obovatus	Hard Quandong
Elaeocarpaceae	Elaeocarpus	reticulatus	Blueberry Ash
Epacridaceae	Brachyloma	daphnoides	Daphne Heath
Epacridaceae	Epacris	microphylla	
Epacridaceae	Epacris	obtusifolia	Coral Heath
Epacridaceae	Epacris	palludosa	Swamp Heath
Epacridaceae	Epacris	pulchella	NSW Coral Heath
Epacridaceae	Leucopogon	ericoides	Bearded Heath
Epacridaceae	Leucopogon	lanceolatus	Lance Beard-Heath
Epacridaceae	Leucopogon	parviflorus	Coastal Beard Heath
Epacridaceae	Monotoca	elliptica	Tree Broom-heath
Epacridaceae	Monotoca	scoparia	Broom Heath
Epacridaceae	Sprengelia	sprengelioides	Heath
Epacridaceae	Trochocarpa	laurina	Tree Heath
Epacridaceae	Woolisia	pungens	Woolisia
Euphorbiaceae	Amperea	xiphioclada	
Euphorbiaceae	Baloghia	inophylla	Brush Bloodwood
Euphorbiaceae	Breynia	oblongifolia	Coffee Bush
Euphorbiaceae	Claoxylon	australe	Brittlewood
Euphorbiaceae	Drypetes	australisica	
Euphorbiaceae	Drypetes	deplanchei ssp deplanchei	
Euphorbiaceae	Glochidion	ferdinandi	Cheese Tree
Euphorbiaceae	Omalanthus	populifolius	Bleeding Heart
Euphorbiaceae	Phyllanthus	gunnii	
Euphorbiaceae	Poranthera	microphylla	
Euphorbiaceae	Ricinocarpus	pinifolius	Wedding Bush
Eupomatiaceae	Eupomatia	laurina	Bolwarra
Fabaceae/ Caesalpinioideae	Senna	acclinis	
Fabaceae/ Faboideae	Bossiaea	ensata	
Fabaceae/ Faboideae	Bossiaea	heterophylla	
Fabaceae/ Faboideae	Desmodium	brachypodium	Large Tick-trefoil
Fabaceae/ Faboideae	Desmodium	rhytidophyllum	
Fabaceae/ Faboideae	Dillwynia	floribunda	
Fabaceae/ Faboideae	Dillwynia	glaberrima	
Fabaceae/ Faboideae	Dillwynia	retorta species complex	
Fabaceae/ Faboideae	Glycine	clandestina	
Fabaceae/ Faboideae	Glycine	microphylla	
Fabaceae/ Faboideae	Glycine	tabacina	
Fabaceae/ Faboideae	Gompholobium	latifolium	Golden Glory Pea
Fabaceae/ Faboideae	Gompholobium	pinnatum	Pinnate Wedge Pea

Fabaceae/ Faboideae	Gompholobium	virgatum	Leafy Wedge Pea
Fabaceae/ Faboideae	Hardenbergia	violacea	False Sarsaparilla
Fabaceae/ Faboideae	Indigofera	australis	
Fabaceae/ Faboideae	Jacksonia	scoparia	
Fabaceae/ Faboideae	Kennedia	rubicunda	Red Kennedy Pea
Fabaceae/ Faboideae	Phyllota	phylicoides	Heath Phyllota
Fabaceae/ Faboideae	Platylobium	formosum ssp parviflorum	
Fabaceae/ Faboideae	Pultenaea	blakelyi	
Fabaceae/ Faboideae	Pultenaea	elliptica	
Fabaceae/ Faboideae	Pultenaea	villosa	
Fabaceae/ Faboideae	Viminaria	juncea	Native Broom
Fabaceae/ Mimosoideae	Acacia	elongata	Swamp Wattle
Fabaceae/ Mimosoideae	Acacia	baueri ssp baueri	
Fabaceae/ Mimosoideae	Acacia	binervata	Two-veined Hickory
Fabaceae/ Mimosoideae	Acacia	brownii	
Fabaceae/ Mimosoideae	Acacia	falcata	
Fabaceae/ Mimosoideae	Acacia	filicifolia	Fern-leaved Wattle
Fabaceae/ Mimosoideae	Acacia	floribunda	White Sally
Fabaceae/ Mimosoideae	Acacia	implexa	Hickory Wattle
Fabaceae/ Mimosoideae	Acacia	irrorata ssp irrorata	Green Wattle
Fabaceae/ Mimosoideae	Acacia	longifolia ssp longifolia	Sydney Golden Wattle
Fabaceae/ Mimosoideae	Acacia	longifolia ssp sophorae	Coastal Wattle
Fabaceae/ Mimosoideae	Acacia	longissima	Narrow-leaved Wattle
Fabaceae/ Mimosoideae	Acacia	maidenii	Maiden's Wattle
Fabaceae/ Mimosoideae	Acacia	melanoxylon	Blackwood
Fabaceae/ Mimosoideae	Acacia	suaveolens	Sweet Wattle
Fabaceae/ Mimosoideae	Acacia	terminalis	Sunshine Wattle
Fabaceae/ Mimosoideae	Acacia	ulicifolia	Prickly Moses
Flacourtiaceae	Scolopia	braunii	Flintwood
Flagellariaceae	Flagellaria	indica	Whip Vine
Goodeniaceae	Dampiera	purpurea	
Goodeniaceae	Dampiera	sylvestris	
Goodeniaceae	Goodenia	stelligera	Star-haired Goodenia
Goodeniaceae	Scaevola	aemula	Scaevola
Goodeniaceae	Scaevola	calendulacea	Scented Fan-flower
Grossulariaceae	Quintinia	sieberi	Rough Possumwood
Haloragaceae	Gonocarpus	humilis	
Haloragaceae	Gonocarpus	micranthus ssp ramosissimus	
Haloragaceae	Gonocarpus	teucrioides	
Hydrocharitaceae	Ottelia	ovalifolia	Swamp Lily
Icaciniaceae	Citronella	moorei	Churnwood
Iridaceae	Patersonia	glabrata	Native Flag
Iridaceae	Patersonia	sericea	Silky Purple Flag
Juncaceae	Juncus	continuus	Rush
Juncaceae	Juncus	kraussii	A sedge
Juncaceae	Juncus	prismatocarpus	A Sedge
Juncaceae	Juncus	usitatus	Common Rush
Juncaginaceae	Triglochin	procera	Water Ribbons
Juncaginaceae	Triglochin	striata	Streaked Arrowgrass

Lamiaceae	Plectranthus	parviflorus	Plectranthus
Lamiaceae	Westringia	fruticosa	Coast Westringia
Lauraceae	Cryptocarya	glaucescens	Jackwood
Lauraceae	Cryptocarya	microneura	Murrogun
Lauraceae	Cryptocarya	obovata	Pepperberry
Lauraceae	Cryptocarya	rigida	Forest Maple
Lauraceae	Endiandra	sieberi	Hard Corkwood
Lauraceae	Neolitsea	dealbata	White Bolly Gum
Lindsaeaceae	Lindsaea	linearis	Screw Fern
Lobeliaceae	Lobelia	alata	Angled Lobelia
Lobeliaceae	Lobelia	gibbosa	
Lobeliaceae	Pratia	purpurascens	White Root
Loganiaceae	Logania	albiflora	Logania
Lomandraceae	Lomandra	glauca	Pale Mat-rush
Lomandraceae	Lomandra	longifolia	Spiny-headed Mat-rush
Lomandraceae	Lomandra	multiflora	Many-flowered Mat-rush
Lomandraceae	Lomandra	spicata	Lomandra
Loranthaceae	Amyema	congener	Red Mistletoe
Luzuriagaceae	Eustrephus	latifolius	Wombat Berry
Luzuriagaceae	Geitonoplesium	cymosum	Scrambling Lily
Meliaceae	Melia	azedarach	White Cedar
Menispermaceae	Sarcopetalum	harveyanum	Pearl Vine
Menispermaceae	Stephania	japonica var discolor	Snake Vine
Menyanthaceae	Villarsia	exaltata	Villarsia
Monimiaceae	Wilkiea	huegeliana	Veiny Wilkiea
Moraceae	Ficus	coronata	Creek Sandpaper Fig
Moraceae	Ficus	fraseri	Sandpaper Fig
Moraceae	Ficus	obliqua	Small-leaved Fig
Moraceae	Ficus	rubiginosa	Rusty Fig
Moraceae	Maclura	cochinchinensis	Cockspur Thorn
Moraceae	Malaisia	scandens	Burny Vine
Moraceae	Streblus	brunonianus	Whalebone Tree
Moraceae	Trophis	scandens	
Myoporaceae	Myoporum	insulare	Boobialla
Myrsinaceae	Aegericus	corniculatum	River Mangrove
Myrsinaceae	Embelia	australiana	
Myrsinaceae	Rapanea	howittiana	Brush Muttonwood
Myrsinaceae	Rapanea	variabilis	Muttonwood
Myrtaceae	Acmena	smithii	Lilly Pilly
Myrtaceae	Angophora	costata	Sydney Red Gum
Myrtaceae	Backhousia	myrtifolia	Grey Myrtle
Myrtaceae	Baeckea	linifolia	
Myrtaceae	Callistemon	linearis	Narrow-leaved Bottlebrush
Myrtaceae	Callistemon	citrinus	Crimson Bottlebrush
Myrtaceae	Callistemon	pachyphyllus	Wallum Bottlebrush
Myrtaceae	Callistemon	salignus	Sweet Willow Bottlebrush
Myrtaceae	Calytrix	tetragona	
Myrtaceae	Corymbia	gummifera	Red Bloodwood
Myrtaceae	Corymbia	maculata	Spotted Gum

Myrtaceae	Eucalyptus	botryoides	Bangalay
Myrtaceae	Eucalyptus	canaliculata	Grey Gum
Myrtaceae	Eucalyptus	acmenioides	White Mahogany
Myrtaceae	Eucalyptus	grandis	Flooded Gum
Myrtaceae	Eucalyptus	microcorys	Tallowwood
Myrtaceae	Eucalyptus	paniculata	Grey Ironbark
Myrtaceae	Eucalyptus	pilularis	Blackbutt
Myrtaceae	Eucalyptus	propinqua	Grey Gum
Myrtaceae	Eucalyptus	robusta	Swamp Mahogany
Myrtaceae	Eucalyptus	saligna	Sydney Blue Gum
Myrtaceae	Eucalyptus	siderophloia	Grey Ironbark
Myrtaceae	Eucalyptus	signata	Scribbly Gum
Myrtaceae	Eucalyptus	tereticornis	Forest Red Gum
Myrtaceae	Kunzea	ambigua	White Kunzea
Myrtaceae	Leptospermum	liversidgei	
Myrtaceae	Leptospermum	arachnoides	
Myrtaceae	Leptospermum	juniperinum	
Myrtaceae	Leptospermum	laevigatum	Coast Teatree
Myrtaceae	Leptospermum	parvifolium	
Myrtaceae	Leptospermum	polygalifolium ssp cismonatum	
Myrtaceae	Leptospermum	trinervium	
Myrtaceae	Lophostemon	confertus	Brush Box
Myrtaceae	Melaleuca	quinquenervia	Broad-leaved Paperbark
Myrtaceae	Melaleuca	armillaris	
Myrtaceae	Melaleuca	decora	
Myrtaceae	Melaleuca	ericifolia	
Myrtaceae	Melaleuca	linariifolia	
Myrtaceae	Melaleuca	nodosa	
Myrtaceae	Melaleuca	sieberi	
Myrtaceae	Melaleuca	squamea	
Myrtaceae	Melaleuca	stypelioides	Prickly-leaved Teatree
Myrtaceae	Melaleuca	thymifolia	
Myrtaceae	Rhodamnia	rubescens	Scrub Turpentine
Myrtaceae	Rhodomyrtus	psidioides	Native Guava
Myrtaceae	Syzygium	paniculatum	
Myrtaceae	Syzygium	australe	Brush Cherry
Myrtaceae	Syzygium	oleosum	Blue Lilly Pilly
Myrtaceae	Tristania	laurina	Water Gum
Oleaceae	Olax	stricta	Olax
Oleaceae	Jasminum	volubile	Stiff Jasmine
Oleaceae	Notelaea	longifolia	Mock-Olive
Oleaceae	Olea	paniculata	Native Olive
Onagraceae	Ludwigia	peploid ssp montevidensis	Water Primrose
Ophioglossaceae	Ophioglossum	pendulum	
Orchidaceae	Calanthe	triplicata	Christmas Orchid
Orchidaceae	Dendrobium	aemulum	Ironbark Orchid
Orchidaceae	Dipodium	punctatum	Hyacinth Orchid
Orchidaceae	Plectorrhiza	tridentata	Tangle Orchid
Orchidaceae	Pterostylis	baptistii	King Greenhood

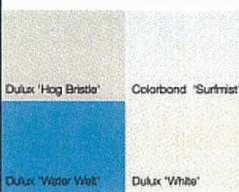


Orchidaceae	Pterostylis	nutans	Nodding Greenhood
Oxalidaceae	Oxalis	perennans	Wood Sorrel
Oxalidaceae	Oxalis	rubens	Wood Sorrel
Passifloraceae	Passiflora	herbertiana ssp herbertiana	Native Passionfruit
Philydraceae	Philydrum	lanuginosum	Frogs-mouth
Phormiaceae	Dianella	caerulea var caerulea	Blue Flax Lily
Phormiaceae	Dianella	caerulea var vannata	Blue Flax Lily
Phormiaceae	Dianella	congesta	Coastal Flax-Lily
Phormiaceae	Dianella	revoluta	Mauve Flax Lily
Pittosporaceae	Billardiera	scandens	Apple Berry
Pittosporaceae	Bursaria	spinosa	Blackthorn
Pittosporaceae	Citriobatus	pauciflorus	Orange Thorn
Pittosporaceae	Hymenospermum	flavum	Native Frangipani
Pittosporaceae	Pittosporum	multiflorum	
Pittosporaceae	Pittosporum	revolutum	Rough Pittosporum
Pittosporaceae	Pittosporum	undulatum	Sweet Pittosporum
Poaceae	Agrostis	aemula	Blowngrass
Poaceae	Anisopogon	avenaceus	Oat Speargrass
Poaceae	Axonopus	fissifolius	
Poaceae	Dichelachne	crinita	Longhair Plumegrass
Poaceae	Dichelachne	micrantha	Short-hair Plume Grass
Poaceae	Digitaria	parviflora	Small-flowered Finger Grass
Poaceae	Echinopogon	caespitosus var caespitosus	Hedgehog Grass
Poaceae	Echinopogon	ovatus	Hedgehog Grass
Poaceae	Entolasia	marginata	Bordered Panic
Poaceae	Entolasia	stricta	Wiry Panic
Poaceae	Eragrostis	brownii	Brown's Lovegrass
Poaceae	Imperata	cylindrica var major	Blady Grass
Poaceae	Microlaena	stipoides	Weeping Meadow-grass
Poaceae	Oplismenus	aemulus	Basket Grass
Poaceae	Oplismenus	imbecillis	Oplismenus
Poaceae	Panicum	simile	Two-coloured Panic
Poaceae	Paspalum	paspaloides	Water Couch
Poaceae	Phragmites	australis	Common Reed
Poaceae	Poa	labillardieri	Tussock
Poaceae	Pseudoraphis	paradoxa	Slender Mudgrass
Poaceae	Spinifex	sericeus	Spinifex
Poaceae	Sporobolus	fertilis	
Poaceae	Sporobolus	virginicus	Sand Couch
Poaceae	Themeda	australis	Kangaroo Grass
Poaceae	Zoysia	macrantha	Prickly Couch
Podocarpaceae	Podocarpus	elatus	Plum Pine
Polygalaceae	Comesperma	ericinum	Matchheads
Polygonaceae	Persicaria	hydropiper	Water Pepper
Polygonaceae	Persicaria	lapathifolia	Pale Knotweed
Polygonaceae	Persicaria	strigosa	
Polygonaceae	Rumex	brownii	Swamp Dock
Polypodiaceae	Platynerium	bifurcatum ssp bifurcatum	Elkhorn
Primulaceae	Samolus	repens	Creeping Brookweed

Proteaceae	Banksia	robur	
Proteaceae	Banksia	aemula	Wallum Banksia
Proteaceae	Banksia	integrifolia ssp integrifolia	
Proteaceae	Banksia	marginata	Silver Banksia
Proteaceae	Banksia	oblongifolia	
Proteaceae	Banksia	serrata	Saw Banksia
Proteaceae	Banksia	spinulosa var collina	
Proteaceae	Conospermum	taxifolium	Coneseeds
Proteaceae	Hakea	dactyloides	Broad-leaved Hakea
Proteaceae	Helicia	glabrifolia	
Proteaceae	Isopogon	anemonifolius	
Proteaceae	Lomatia	silafolia	Crinkle Bush
Proteaceae	Persoonia	lanceolata	
Proteaceae	Persoonia	laurina	
Proteaceae	Persoonia	levis	Broad-leaved Geebung
Proteaceae	Persoonia	linearis	Narrow-leaved Geebung
Proteaceae	Petrophile	canescens	
Proteaceae	Petrophile	pulchella	
Ranunculaceae	Clematis	aristata	
Ranunculaceae	Ranunculus	inundatus	
Ranunculaceae	Ranunculus	lappaceus	Common Buttercup
Restionaceae	Empodisma	minus	Spreading Rope-rush
Restionaceae	Hypolaena	fastigata	Hypolaena
Restionaceae	Leptocarpus	tenax	Slender Twine-rush
Restionaceae	Lepyrodia	caudata	
Restionaceae	Lepyrodia	scariosa	Scale Rush
Restionaceae	Restio	pallens	Cord Rush
Restionaceae	Restio	tetraphyllus ssp meiotachyos	Tassel Rush
Rhamnaceae	Alphitonia	excelsa	Red Ash
Ripogonaceae	Ripogonum	fawcettianum	
Rosaceae	Rubus	hillii	Molucca Bramble
Rosaceae	Rubus	moluccanus var trilobus	Molucca Bramble
Rosaceae	Rubus	parvifolius	Native Raspberry
Rosaceae	Rubus	ulmifolius	Native Raspberry
Rubiaceae	Asperula	asthenes	A Woodruff
Rubiaceae	Morinda	jasminoides	Morinda
Rubiaceae	Pomax	umbellata	Pomax
Rubiaceae	Randia	benthamiana	
Rutaceae	Acronychia	littoralis	Scented Acronychia
Rutaceae	Acronychia	oblongifolia	Common Acronychia
Rutaceae	Acronychia	wilcoxiana	Silver Aspen
Rutaceae	Boronia	falcifolia	
Rutaceae	Boronia	pinnata	
Rutaceae	Correa	reflexa var reflexa	Common Correa
Rutaceae	Eriostemon	australasius	Waxflower
Rutaceae	Phebalium	squamea	Satinwood
Rutaceae	Phebalium	squamulosum	Scaly Phebalium
Rutaceae	Sarcomelicope	simplicifolia ssp simplicifolia	
Rutaceae	Zieria	laxiflora	

Rutaceae	Zieria	smithii	Sandfly Zieria
Santalaceae	Exocarpos	cuppressiformis	Cherry Ballart
Santalaceae	Leptomeria	acida	Current Bush
Sapindaceae	Alectryon	coriaceus	Beach Alectryon
Sapindaceae	Alectryon	subcinereus	Wild Quince
Sapindaceae	Arytera	divaricata	Coogera
Sapindaceae	Cupaniopsis	anacardioides	Tuckeroo
Sapindaceae	Dodonaea	triquetra	
Sapindaceae	Guioa	semiglauca	
Sapindaceae	Mischocarpus	pyriformis ssp pyriformis	Yellow Pear-fruit
Sapotaceae	Planchonella	australis	Black Apple
Sapotaceae	Planchonella	myrsinoides	Blunt-leaved Condoo
Sapotaceae	Pouteria	australis	
Scrophulariaceae	Lindernia	alsinoides	Lindernia
Selaginellaceae	Selaginella	uliginosa	
Sinopteridaceae	Cheilanthes	sieberi	
Sinopteridaceae	Pellaea	paradoxa	
Smilacaceae	Ripogonum	album	White Supplejack
Smilacaceae	Ripogonum	fawcettianum	Small Supplejack
Smilacaceae	Smilax	glyciphylla	False Sarsaparilla
Smilacaceae	Smilax	australis	Austral Sarsaparilla
Solanaceae	Duboisia	myoporoides	Duboisia
Solanaceae	Solanum	stelligerum	Wild Tomato
Sterculiaceae	Brachychiton	acerifolius	Flame Tree
Sterculiaceae	Commersonia	fraseri	Brush Kurrajong
Stylidiaceae	Stylidium	graminifolium	Grass Triggerplant
Surianaceae	Guilfoylia	monostylis	Guilfoylia
Thelypteridaceae	Christella	dentata	
Thymelaeaceae	Pimelea	linifolia	
Thymelaeaceae	Wilkstroemia	indica	
Tremandraceae	Tetratheca	thymifolia	Black-eyed Susan
Typhaceae	Typha	orientalis	Broad-leaved Cumbungi
Ulmaceae	Trema	aspera	Native Peach
Ulmaceae	Trema	tomentosa var viridis	
Uvulariaceae	Tripladenia	cunninghamii	
Uvulariaceae	Tripladenia	cunninghamiana	Tripladenia
Verbenaceae	Clerodendrum	floribundum	Smooth Clerodendrum
Verbenaceae	Clerodendrum	tomentosum	Hairy Clerodendrum
Verbenaceae	Gmelina	leichardtii	White Beech
Violaceae	Viola	hederacea	Ivy-leaved Violet
Vitaceae	Cayratia	clematidea	Slender Grape
Vitaceae	Cissus	antarctica	Water Vine
Vitaceae	Cissus	hypoglauca	Five-leaf Water Vine
Vitaceae	Tetrastigma	nitens	Shining Grape
Xanthorrhoeaceae	Xanthorrhoea	macronema	Grass Tree
Xanthorrhoeaceae	Xanthorrhoea	media ssp media	Forest Grass Tree
Xanthorrhoeaceae	Xanthorrhoea	resinifera	Grass Tree
Zamiaceae	Macrozamia	communis	
Zingiberaceae	Alpinia	caerulea	Native Ginger

Annexure '2': Finishes Schedule

Materials and Finishes Schedule

Finishes Schedule	
<p>proposed new self care villas, club house and residential aged care facility Pacific Cape A project of Great Lakes Aged & Invalid Care Association Ltd Lot 83 Kularoo Drive , FORSTER NSW</p>	
<p>mcfadyenarchitects Pty Limited <small>Level 10/111 South Street, Forster NSW 2421 PO BOX 1025, WARRIEWEE NSW 2267 (02) 9970 0077 (02) 9970 0078 www.mcfadyenarchitects.com.au info@mcfadyenarchitects.com.au</small></p>	
	<p>DUPLEX - Colour Scheme 1</p> <p>External Wall 1 External Wall 2 Internal Wall Roof Windows Garage Door Pergola Privacy screen</p> <p>Lightweight panel - Dulux 'Hog Bristle' FC weatherboard cladding - Dulux 'Water Welt' Stud wall with plasterboard - selected paint finish Custom orb roofing - Colorbond 'Surfmist' Glass window on aluminium frame powdercoat - Dulux 'White' Automatic panel lift door - selected colour Metal pergola selected rhs steel sections powdercoat - Dulux 'White' Horizontal battens on frames painted - Dulux 'White'</p>
	<p>DUPLEX - Colour Scheme 2</p> <p>External Wall 1 External Wall 2 Internal Wall Roof Windows Garage Door Pergola Privacy screen</p> <p>Lightweight panel - Dulux 'Tapestry Beige' FC weatherboard cladding - Dulux 'Boathouse' Stud wall with plasterboard - selected paint finish Custom orb roofing - Colorbond 'Surfmist' Glass window on aluminium frame powdercoat - Dulux 'White' Automatic panel lift door - selected colour Metal pergola selected rhs steel sections powdercoat - Dulux 'White' Horizontal battens on frames painted - Dulux 'White'</p>
	<p>RACF - Colour Scheme 1</p> <p>CMC FC FCWB SFB CR GW GB MP SC MRD MLW FRD</p> <p>Composite metal external cladding on reverse brickwork - Dulux 'Tangent' FC external cladding - Dulux 'Tangent' FC weatherboard cladding - Dulux 'Soft Suede' Split face blockwork - Bowral 'Almond' Custom orb roofing - Colorbond 'Surfmist' Glass window on aluminium frame powdercoat - Dulux 'White' Glass balustrade on alum frame (1800mm high) powdercoat - Dulux 'White' Metal pergola & support selected rhs steel sections powdercoat - Dulux 'White' Steel columns selected rhs steel sections powdercoat - Dulux 'White' Metal roller door to service/delivery level & staff parking Metal louvered window powdercoat - Dulux 'White' Fire rated egress door - selected colour</p>

APPENDIX B – Plans and elevations





Streetscape elevation-Kularoo Drive
scale 1:300 @A1



Streetscape elevation-Karlo Street
scale 1:300 @A1

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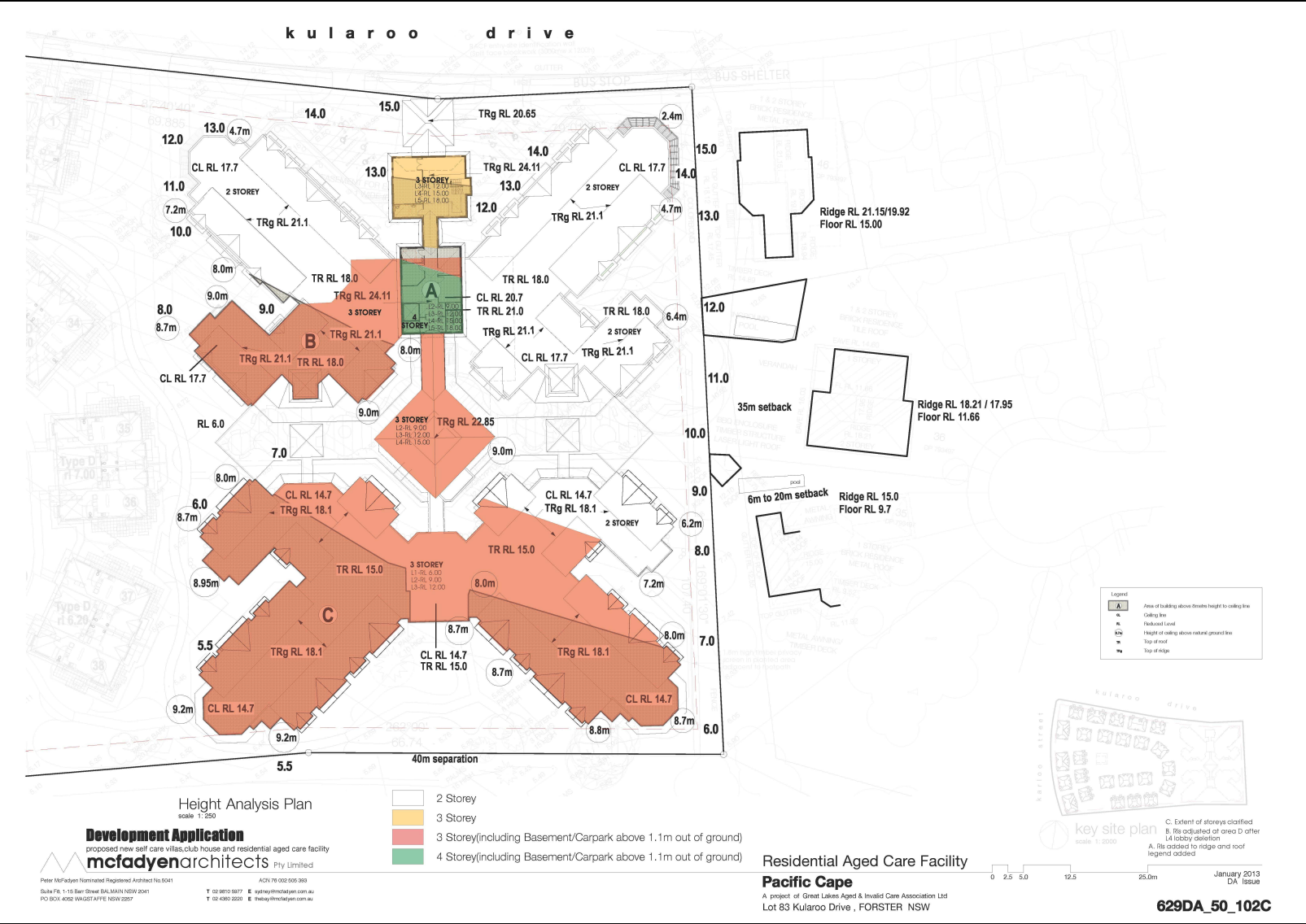
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APPENDIX C – Staging plan



APPENDIX D – Height analysis plan



Appendix E: - Accessibility and useability standards applying to hostels and self-contained dwellings

	Standards	Proposal/ Compliance
Hostels and self-contained dwellings		
Wheelchair access	<ul style="list-style-type: none"> 100% of the dwellings must have wheelchair access by a continuous accessible path of travel to an adjoining public road. Access must be provided in accordance with AS 1428.1 to common areas and facilities. 	<p>Wheelchair access is capable to all levels within the RCF and the Access report states that all dwellings are accessible and internal pedestrian pathways have accessible ramps at a maximum of 1:14 from the Kularoo Drive frontage into the village where the gradients are generally 1:20.</p> <p>Landings to be provided to walkways where gradients are in 1:33 or greater. Appropriate conditions to ensure compliance to AS 1428.1 are contained within the Recommendation of this report.</p>
Security	<ul style="list-style-type: none"> Pathway lighting must be designed & located to avoid glare for pedestrians and adjacent dwellings and must be at 20 lux (minimum) at ground level. 	The Access Report confirms that pathway lighting is proposed to meet the required criteria and an appropriate condition of consent is contained within the Recommendation of this report to ensure compliance.
Letterboxes	<ul style="list-style-type: none"> Must be situated on a hard stand area & have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1). 	The Access Report advises that letterboxes are to be accessible, lockable and located in one or more central locations adjacent to the street entry.

	<ul style="list-style-type: none"> Letterboxes must be lockable and located in a central location adjacent to the street entry. 	An appropriate condition of consent is contained within the Recommendation of this report to ensure compliance.
Car parking	<ul style="list-style-type: none"> Must comply with requirements for parking for persons with a disability (AS 2890). 5% of car spaces must be designed to enable their width to be increased to 3.8m. Any garage must have a power operated door or be designed to allow such a door to be installed at a later date. 	The Access Report states that 8 accessible car spaces are to be provided in the RCF and 2 spaces at the Clubhouse, with each self care dwelling having a garage with a power operated door and 5 dwellings having 2 car garages - refer below in report under the heading "Accessible car parking".
Accessible entry	<ul style="list-style-type: none"> Every entry (front door or not) must comply with Clauses 4.3.1 & 4.3.2 of AS 4299. 	The Access Report advises that each dwelling will comply with AS 4299. An appropriate condition of consent is contained within the Recommendation of this report to ensure compliance.
Interior	<ul style="list-style-type: none"> Internal doorways must have a minimum clear opening complying with AS 1428.1. Internal corridors must have a minimum unobstructed width of 1m. Circulation space at approaches to internal doorways must comply with AS 1428.1. 	<p>The Access Report advises that internal doorway and circulation will achieve compliance with AS 1428.1 and corridors to provide a minimum 1m clear width.</p> <p>Appropriate conditions of consent are contained within the Recommendation of this report.</p>
Bedroom	<p>At least one bedroom within each dwelling must have:</p> <ul style="list-style-type: none"> An area sufficient for a single 	The Access Report advises that at least one bedroom in each dwelling to include a wardrobe;

	<p>bed.</p> <ul style="list-style-type: none"> • A clear area for the bed of at least 1.2m at the foot of the bed and 1m beside the bed between it and the wall, wardrobe or any other obstruction. • Two (2) double general power outlets on the wall where the head of the bed is likely to be. • A minimum of one (1) general power outlet (GPO) on the wall opposite the bed where the head of the bed is likely to be. • A telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet • Wiring to allow a potential illumination level of 300 lux (minimum). 	<p>queen sized bed, 1200mm clear at the foot of the bed; 1m clear for a bedside table; complying GPOs; telephone outlet; and potential 300 lux lighting.</p> <p>Appropriate conditions of consent are contained within the Recommendation of this report for power and telephone outlets, as well as wiring for required lighting levels.</p>
Bathroom	<p>At least one bathroom within a dwelling must be on the ground or main floor with the following facilities arranged with circulation space for sanitary facilities complying with AS 1428.1:</p> <ul style="list-style-type: none"> • A slip-resistant floor surface. • A washbasin with plumbing that allows, either immediately or in the future, clearances complying with AS 1428.1. 	<p>The Access Report advises that at least one bathroom in each dwelling will comply with AS 1428.1.</p> <p>Appropriate conditions of consent are contained within the Recommendation of this report to ensure compliance with these bathroom requirements.</p>

	<ul style="list-style-type: none"> • A shower complying with AS 1428.1 except that the following must be accommodated, either immediately or in the future : <ul style="list-style-type: none"> ○ A grab rail, ○ A portable shower head, ○ A folding seat. • A wall cabinet sufficiently illuminated to read labels of stored items. • A double general power outlet beside the mirror. 	
Toilet	At least one toilet within a dwelling must be on the ground or main floor level and must comply with the requirements for sanitary facilities of AS 4299.	<p>The Access Report advises that at least one ground floor visitable toilet in each dwelling will comply with AS 4299.</p> <p>An appropriate condition of consent is contained within the Recommendation of this report.</p>
Surface finishes	Balconies and external paved areas must have slip-resistant surfaces.	<p>The Access Report advises that slip resistant finishes will be provided to balconies and external paved areas.</p> <p>An appropriate condition of consent is contained within the Recommendation of this report.</p>
Door hardware	Door handles and hardware must be provided in accordance with AS 4299.	<p>The Access Report advises that door handles and hardware for all doors to be in compliance with AS 4299.</p> <p>An appropriate condition of</p>

		consent is contained within the Recommendation of this report.
Ancillary items	Switches and power points must be provided in accordance with AS 4299.	<p>The Access Report advises that Switches and GPOs will comply with AS 4299.</p> <p>An appropriate condition of consent is contained within the Recommendation of this report.</p>
Self contained dwellings		
Living room and dining room	<ul style="list-style-type: none"> • Circulation space to be provided in accordance with AS 4299. • Telephone adjacent to a GPO. 	The Access Report states that a minimum 2250mm diameter wheelchair turning space to be provided in living/dining room.
Kitchen	<ul style="list-style-type: none"> • Circulation space, benches, taps, cook tops and oven in accordance with AS 4299 and • Circulation space at door approaches to be provided in accordance with AS 1428.1. • "D" pull cupboard handles. • GPOs, one of which must be double and within 300mm of front of a work surface and one for a refrigerator accessible after installation of refrigerator. 	The Access Report states that a minimum 1550mm clear kitchen width with provision for kitchen bench adaptation.
Access to kitchen, main bedroom and toilet	For a multi-storey self-contained dwelling, the kitchen, main bedroom, bathroom and toilet must be located at entry level.	<p>The Access Report states that an accessible entry will be provided with a minimum 1m wide path of travel between the living area and kitchen and at least one accessible bedroom and bathroom complying with AS 1428. 1 and AS 1428.2.</p> <p>One accessible door is to be provided between living and</p>

		terrace areas.
Laundry	<ul style="list-style-type: none"> • Circulation space at door approaches to be provided in accordance with AS 1428.1. • Provision for the installation of an automatic washing machine and clothes dryer, with a clear space in front of appliances 1300mm minimum. • A slip resistant floor. • An accessible path of travel to any clothes line provided. 	An appropriate condition of consent is contained within the Recommendation of this report.
Storage for linen	Linen storage in accordance with AS 4299.	An appropriate condition of consent is contained within the Recommendation of this report.
Garbage	Garbage areas must be provided in an accessible location.	Accessible garbage storage areas for each self-contained dwelling to be an appropriate condition of consent as contained within the Recommendation of this report.

APPENDIX F: Perspectives



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Entry to ILU precinct at Karloo Street

Development Application
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Development Application
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