

STATEMENT OF ENVIRONMENTAL EFFECTS

TO ACCOMPANY A DEVELOPMENT APPLICATION FOR

Construction of a two (2) storey 130 bed residential aged care facility, basement car park, earthworks, removal of trees and associated landscaping.

At

11 Pastoral Circuit, Pemulwuy NSW 2145
Lot 310 in DP of 1111685



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21 May 2015

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1.0 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Smyth Planning on behalf of Allity Aged Care to accompany a Development Application (DA) to Holroyd City Council. The DA seeks approval for the construction of a two (2) storey 130 bed Residential Aged Care Facility (RACF) with part basement car park, earthworks, removal of trees and associated landscaping at 11 Pastoral Circuit, Pemulwuy (the subject site) - which is currently vacant.

Allity is one of Australia's leading providers of quality care for aged with over 44 aged care homes located across Queensland, NSW, Victoria and South Australia with 14 in NSW alone. Allity is regarded as one of the most respected and established providers within the Australian aged care industry. Allity's philosophy is that Every Allity home is exactly what the name implies - a place where residents can continue to share every day experiences with their families, make it their own and maintain active and rewarding lifestyles in the way that is meaningful to them.

The proposed development complies with all of the relevant controls and provisions within the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors) and it is considered that the proposal is consistent with the broad objectives of the Holroyd Local Environment Plan 2013 (HLEP 2013) and generally complies with the provisions of the Holroyd Development Control Plan 2013 (HDCP 2013).

The proposed development is considered suitable for the subject site and it is acknowledged that a 138 bed RACF development has previously been approved by Council on the subject site in 2010 - but the consent was never activated and has since lapsed. The proposed development is of a comparable scale to the previously approved development and it sits comfortably within the streetscape and has been expressly designed to minimise impacts on the amenity of the adjoining properties and then public domain. The scope of the development is described in detail in section 4.0 of this report.

The statement has been prepared pursuant to section 78A of The Act. The Statement provides an assessment of the proposed development having regard to the relevant legislative context, social, economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The Statement details the proposed developments compliance against applicable planning instruments and development control plans including:

- Holroyd Local Environment Plan 2013 (HLEP)
- Holroyd Development Control Plan 2013 (HDCP)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors)
- State Environmental Planning Policy No.55 – Site Remediation (SEPP 55)

Having regard to the applicable legislative framework, it is considered that the proposed development will provide a significant public benefit and is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan whilst being compatible with the character of the locality and minimising any potential impacts on the amenity of the adjoining properties.

The document is arranged as follows:

- Section 1 outlines this application and its structure;
- Section 2 describes the site and context;
- Section 3 provides a background to the development of the site;
- Section 4 outlines the details of the proposed development;
- Section 5 outlines the applicable statutory controls and policy and provides an assessment of the proposed development pursuant to Section 79C of the EP&A Act; and
- Section 6 provides the conclusions and recommendations

2.0 SITE DESCRIPTION AND LOCATION

2.1 Locality Description

The subject site is located at 11 Pastoral Circuit, Pemulwuy (refer to **Figure 1**) which is within Holroyd Local government area and is located within Stage 3 of the Lakewood Estate, Pemulwuy. The prevailing character in the immediate area is a mix of recently built low scale residential flat buildings and existing and recent low density single and two (2) storey detached dwellings.

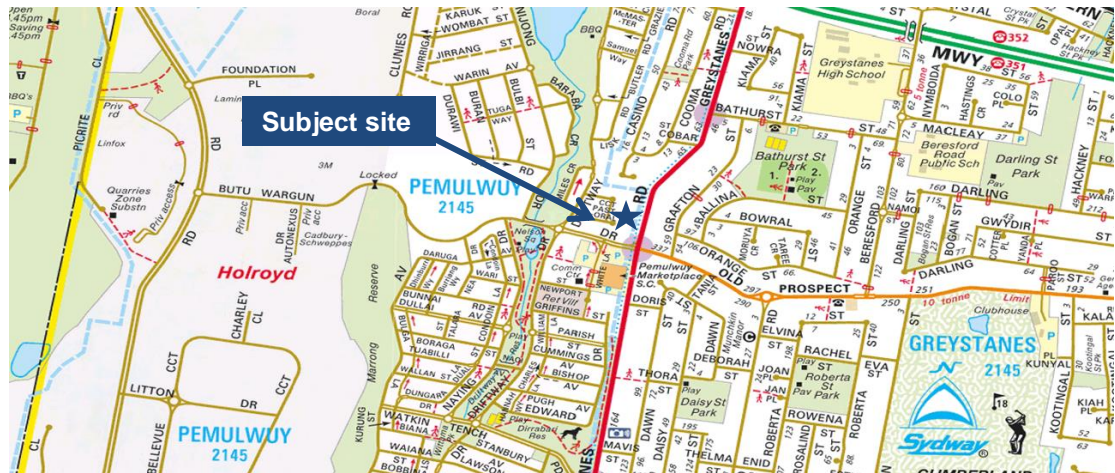


Figure 1: Site Location Map showing subject site and surrounding residential and commercial land. Source - <http://www.street-directory.com.au/>

2.2 Site Description

The site is known as 11 Pastoral Circuit being legally described as Lot 310 of DP1111685 and has a total area of approximately 10,048m² (refer to **Figure 2**). The subject site is irregular in shape and has a frontage to Greystanes Road to the east and Pastoral Circuit frontage to the west and part of the southern boundary. The site is currently vacant and covered with grass and large trees are located along the eastern boundary and dotted along the northern boundary. The subject is positioned on a side of a hill with the ground surface generally sloped at about 3° to 4° towards the west from Greystanes Road. The east to west fall results in an RL difference of approximately 4.6m. The highest point of the site on the eastern side of the site is RL65m and the lowest point on the western side of the site is RL60.41m.



Figure 2: Location aerial showing the subject site. Source - <http://maps.six.nsw.gov.au/>

2.3 Surrounding development

The site is located within the Lakewood Estate (former CSIRO site) and surrounded by a mix of recently built and existing detached one (1) and two (2) storey dwellings and low scale residential flat buildings ranging from two (2) to four (4) storey's.

North

The properties to the north and at the north end of the western boundary contain one (1) and two (2) storey dwellings setback approximately 2m - 6m from the northern property boundary.

South

Development to the south-east of the site comprises of a recent two (2) storey residential flat building set-back about 8-10m from the southern boundary of the site which also has a frontage to Greystanes Road. Further south of the site over pastoral Circuit comprises three (3) recently constructed part 3/part 4 storey residential Flat Buildings which also have street frontages to Butu Wargun Drive.

West

Pastoral Circuit bounds the western side and the south-west corner of the site with two (2) storey detached dwellings located on the western side of Pastoral Circuit.

East

Greystanes Road bounds the eastern boundary of the site with one (1) and two (2) storey dwellings located on the eastern side Greystanes Road.

2.4 Site photos



Photo 1 – view south from centre of site towards 13-19 Pastoral Circuit



Photo 2 – View north from southern end of subject site



Photo 3 – View towards North western corner of site



Photo 4 – Trees along northern boundary of site



Photo 5 – View east towards Greystanes Rd from Pastoral Circuit



Photo 6 – view north along eastern boundary adjacent to Greystanes Road



Photo 7 – view north down Greystanes Road from south east corner of site/



Photo 8 – Pathway to Greystanes Road between subject site and 13-19 Pastoral Circuit



Photo 9 - view south east from subject site towards 13-19 Pastoral Circuit



Photo 10 -view south towards 13-19 Pastoral Circuit



Photo 11 – View towards 6 Pastoral Circuit



Photo 12 - View towards 7 Pastoral Circuit



Photo 13 - View towards 12 Pastoral Circuit



Photo 14 - View towards 8 Pastoral Circuit



Photo 15 - View down Pastoral Circuit opposite to subject site from north west of site.



Photo 16 - View down northern road of Pastoral Circuit from south west corner of site.

3.0 BACKGROUND

3.1 History of Site

A recent enquiry to Holroyd Council revealed the following information in relation to development records for the subject site:

Development Consent 2007/340/1

Development consent was approved on 10 February 2009 for the construction of a 120 bed aged care facility, basement car park, amenities, earthworks, landscaping and associated installation of services. This consent was never activated and has since lapsed.

S96(1A) modification to DA340/2007

Approval was granted for a s96(1A) application on 10 August 2010 for an increase in the number of beds in the facility from 120 to 138. The original consent was never activated and has since lapsed.

3.1 Pre-Lodgment advice

A pre-lodgement meeting was convened with Council on 1 April 2015 to discuss the proposed development. Council was generally supportive of the proposal and formal minutes were issued by Council and outlined the specific requirements for the development. The proposed development is primarily the same development that was discussed at the pre-lodgement meeting. Table 1 below provides a response to the key matters that were identified in Council's response:

Pre-DA Issue	Response
SEPP 55 - Remediation of Land (SEPP 55) A preliminary site investigation must be carried out for the site in accordance with the provisions of SEPP 55.	A preliminary site investigation has been undertaken by EIS and is provided at Annexure 12 . The report concluded that the site is considered suitable for the proposed aged care development.
SEPP BASIX 2004 BASIX applies to the proposal, therefore a BASIX certificate is required.	BASIX does not apply to the development as the proposed Residential Care facility is a BCA Class 9c Building. The development has been designed to comply with BCA section J requirements for energy efficiency. Refer to BCA compliance statement at Annexure 9 .
SEPP Seniors 2004 SEPP Seniors 2004 applies to the development if it is lodged under the provisions of the SEPP. Clause.40(4)(c)(c) of SEPP Seniors which restricts buildings in the <u>rear</u> 25% of the site to one storey in height does not apply to the site as there are two street frontages.	The proposed development has been designed to fully comply with the relevant provisions and controls within SEPP Seniors. A detailed assessment of these controls is provided under section 5.3 of this report.
Ancillary Uses The proposed café, hairdresser, physio etc. are prohibited uses in the R3 zone.	The proposed café, physio, hairdresser and spa massage and services are typical features and services provided within a RACF development. These services are ancillary uses and provided for the exclusive use of residents and are not offered to people outside of the RACF therefore are not considered to be prohibited uses.
Arborist Report/ Landscape Plan The application must be supported by an arboricultural report and a Landscape Plan prepared by appropriately qualified consultant that addresses all of the relevant matters contained in HDCP 2013.	An arboricultural report has been prepared by Arterra Landscape Design and is provided at Annexure 6 and a detailed landscape plan has been provided at Annexure 3 which addresses all of the relevant matters contained within HDCP 2013.
Consolidation of driveways Development should consolidate driveways to reduce the number of crossovers in order to maintain streetscape, reduce the impact on on-street parking and reduce the number of vehicles-pedestrian conflict.	The development proposed three (3) crossovers, which is considered a conservative number given the site is 10,481m ² in area. The proposed driveways do not result in the loss of any on-street parking or removal of any street trees and will make a non- discernible impact on the streetscape. It is acknowledged that if this lot was subdivided

	into 300m ² lot sizes (which is permitted under HLEP 2013), then it is likely that there would be a much larger number of driveways in comparison to what has been proposed.
Acoustic Report	
The application must be supported by an Acoustic report prepared by an appropriately qualified consultant.	An acoustic report has been prepared by Acoustic Logic and is provided at Annexure 14 .

Table 1: Pre DA Summary

4.0 Proposed Development

4.1 Overview

The application seeks approval for the following development:

- Construction of a two (2) storey 130 bed residential aged care facility (RACF) that steps down the site from the east (Greystanes Road) to the west (Pastoral Circuit), following the undulating nature of the site which falls approximately 4.6m to the west from Greystanes Road;
- Excavation and other site preparation works including the incorporation of retaining walls;
- Construction of a part in-ground basement which incorporates a staff car park and loading/ servicing area accessed from the Pastoral Circuit cul de sac and other back of house facilities associated with the RACF;
- Construction of an at grade visitor parking area fronting Pastoral Circuit and associated landscaping;
- Removal of trees ; and
- Provision of three (3) vehicle access points from Pastoral Circuit and associated infrastructure works.

The proposal is detailed in the Architectural drawings prepared by Calder Flower Architects at **Annexure 2** and is described in the following sections of this SEE.

4.2 Key Development Statistics

The key statistics for the concept proposal are summarised in **Table 2** below.

Component	Proposed
Site Area	10,481m ²
Floor Space Ratio	0.69:1
Gross Floor Area	7,183m ²
	Lower Ground Floor 810m ²
	Ground Floor 4,248m ²
	First Floor 2,183m ²

Building Height	2 storeys Maximum Ceiling Height 8.0m to top of lift lobby Maximum Building Height 11.4m to roof ridge
Site Frontages	North- 97.46m East- 112.23m to Greystanes Road South- 102.44m to Pastoral Circuit cul de sac West- 101.73m to Pastoral Circuit
Landscaped Area	4,778m ² (45.6%)
Bedrooms	130
Car Parking Spaces	Staff – 21 (including 1 accessible space) Visitor – 17 (including 1 accessible space) Total – 38 spaces Bus Space x 1 Ambulance Bay x 1
Total number of beds	130

Table 2: Key development Statistics

4.3 Building Design

The proposed RACF presents a two storey frontage to both Pastoral Circuit and Greystanes Road which steps down the site utilising the natural topography of the site. Given the level difference, the development incorporates three levels – a lower ground/ part basement, ground level and first floor (the building height does not exceed two storeys at any part of the development). Accommodation for high care and dementia care residents will be the predominant use of the site, with the remaining part of the development being made up of facilities and services associated with the operation of the RACF.

A breakdown of the key features of each level of the development is provided below in **Table 3** below:

Level	Description
Lower Ground/ Part basement	<p>Part basement</p> <ul style="list-style-type: none"> - Staff parking area for 21 vehicles (including 1 accessible space) - Backs of house services including comms room, cleaners store and electrical switch room. - Hydraulic Plant room - Drop off area <p>Lower Ground Floor</p> <ul style="list-style-type: none"> - Main entrance and Port Cochere, Front of house services including reception, offices etc. - Lobby area - Resident facilities including barber/ hairdresser, spa/ massage, physio, café, library, multi-purpose room and private dining room - Staff facilities - Visitor car parking area for 19 vehicles (including 1 accessible space) - Separate parking for bus and Ambulance

	<ul style="list-style-type: none"> - Garbage room - Maintenance room - Laundry - Kitchen - Associated landscaping
Ground Floor	<p>High Care</p> <ul style="list-style-type: none"> - 67 High-care resident bedrooms - Dining, lounge and activity facilities for high care residents - Associated landscaping <p>Dementia Wing</p> <ul style="list-style-type: none"> - 19 Dementia-care resident bedrooms - Dining, lounge and activity facilities for high care residents - Associated landscaping
Level 1	<p>High Care</p> <ul style="list-style-type: none"> - 44 High care resident rooms - Dining, lounge and activity facilities for high care residents

Table 3: Breakdown of proposed uses by floor level

Built Form

The built form of the proposed development comprises the following:

- A part basement/ lower ground level
- A two (2) storey RACF that steps down the site.

The proposed building form responds to the topography, orientation and existing built form of the adjoining residential developments and provides generous setbacks which significantly exceed the Holroyd Development Control 2013 requirements. One of the key design principles behind the built form is to break down the massing to a residential scale to respect the context and minimise amenity impacts on the adjoining private and public domain.

The design achieves an appropriate built form for the site has a building height that is consistent with the adjoining residential flat buildings to the south and south west and the adjoining dwellings to the north and west of the site. The design contributes to the streetscape of both Pastoral Circuit and Greystanes Road by presenting an elegant high quality façade to the street that is considerate of the surrounding context.

On Pastoral Circuit and Greystanes Road, the mass of the building has been highly articulated and recessed to minimise visual bulk and the roofs are pitched, in keeping with the pitched roofs characterising residential developments the neighbourhood.

The key elements of the built form and siting, including building separation and setback is summarised in **Table 4** below:

Element	Description
Building Height	2 storeys Maximum Ceiling Height 8.0m to top of lift lobby Maximum Building Height 11.4m to roof ridge
Floor to Floor Heights	Lower Ground – 3.75m Ground Floor – 3.3m First Floor – 3.2m
Building setbacks (minimum)	Greystanes Road (East) 8.05 metres

Pastoral Circuit (West)
11.25 metres
South
6.49 metres
North
11.15 metres

Table 4: Built form and Siting- Key Statistics

The following photomontage in **Figure 3** prepared by Calder Flower Architects illustrates the proposed built form.



Figure 3: 3D Photomontage – DA15 prepared by Calder Flower Architects

Architectural Design Statement

“Access to the site is from Pastoral Circuit. The new building has been positioned on the site with the front entry aligned with the centre of the western elevation facing Pastoral Circuit. The entry is prominent and clearly identified with a grand Porte cochere structure and entry driveway. The location and position of the front entry is aligned with sight lines down Pastoral Circuit and is intended as a distinctive and welcoming element in the streetscape.

The roof is consistently pitched with deep eaves and overhangs. The roof of the building addressing Pastoral Circuit is articulated with three gabled elements and a centrally positioned glazed lantern skylight at the highest ridge point.

The Porte Cochere is a freestanding pavilion style structure with a glazed gable detail over the hipped roof. The traditional roof forms are familiar and recognizable in the suburban precinct. The roofing, gutters and downpipes are colourbond colour ‘Shale Grey’.

Most resident rooms have external access to a covered balcony or on grade verandah. The white balustrades form a definitive component in the elevations and all doors and windows are framed in white powder coated aluminium.

The building is predominantly clad in lightweight cladding consisting of horizontal weatherboards. The colour palette of the cladding is a combination of three grey tones ranging from very dark to very light.

The exposed walls of the back of house on the lower ground floor are clad externally in a warm honey-coloured rusticated natural stone. The texture of the stone will

contrast with the smooth clean horizontal lines of the weatherboards and the crisp lines of white trim elements.

Together with the articulated roof forms, the balconies and the combination of textured external finishes will describe a familiar and attractive residential character and building form.

The new care home is arranged as four wings around a central core structure. The central core has the front entry and the lift structure. The building comprises of double storey care wings, which step down to follow the sloping landform. The care wings are configured around a variety of courtyard gardens, which are each identified, by an individual landscaped theme and character. The landscape design forms an essential part of the overall development and has been well integrated into the architecture.

The emphasis throughout the building is on access to natural daylight and views to the outside gardens. Corridors, common lobbies and shared lounges and dining rooms all have extensive glazing and windows to bring daylight and sunlight into the home. The skylight lantern over the central western lounge brings daylight into the space from above.

The four care wings are each configured with an individual layout and will be styled in a themed colour scheme to facilitate way finding and an awareness internally of the difference between each care cluster and its environment.

The service dock and entry to the carpark under the building is located on the south side of the site with an access driveway off the cul de sac of Pastoral Circuit. The service dock is not visible from the front of the building. The service courtyard will be screened with stone walls and landscape planting.

This nursing home is designed to provide a superior level of comfort and amenity to its residents. The large scale of the building has been broken down to a recognizable scale and character to remove any association with an institutional care facility. It is designed to contribute to the neighbourhood and residential context."

External Materials and Finishes

A Material and Finishes Schedule has been prepared by Calder Flower Architects (refer to **Figure 4** overleaf) demonstrating the materials that are proposed to be used for the development. The proposal achieves a high standard of architectural design through its use of materials and provides detailing appropriate to a RACF development and the local urban context.

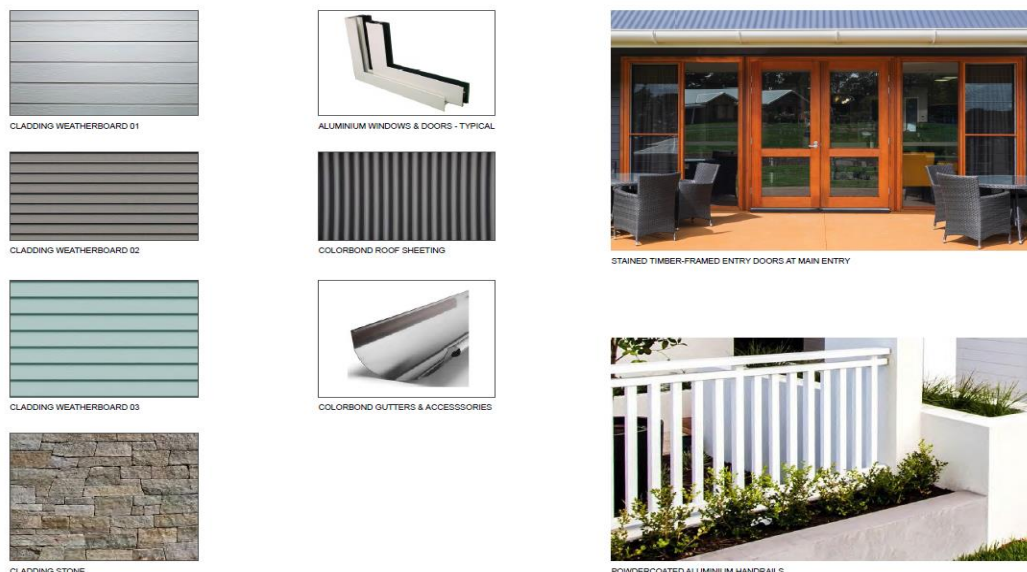


Figure 4: Material and Finished Schedule –DA13 prepared by Calder Flower Architects

4.4 Landscaping

The proposed development provides 4778m² of landscaped area which equates to 45.7% of the total site. The proposed landscaping is detailed in the Landscape Plan and accompanying Landscape Design Statement prepared by Arterra Landscape Architects and is included at **Annexure 3**.

The landscape design is broken into several distinct areas which are described in more detail below in the following extract from the Landscape Design Statement prepared by Arterra:

Main Entrance and Front Gardens

The main entrance and front gardens are designed as a multi-functional shared space using a simple palette of robust materials complimenting the building. A paved shared zone spills out from the entry, inviting and welcoming visitors and residents. The entry forecourt is proposed to be paved with a high level of finish & jointing detail to create a trafficable and robust vehicular surface and non-slip level area, easily warped to meet and match the adjoining sloping roadway and footpath. The paving finish aims to delineate between pedestrian & vehicular zones. The area in front of the entrance can also be used as ambulance parking.

Flanking the entry driveway will be two stone blade walls with mounted Allity signage providing a grand entrance into the site. The entry will facilitate tree planting to soften and frame distinct architectural features fronting Pastoral Circuit. Australian native species will be planted at the entry of the building to build on Pemulwuy's distinct character and provide an attractive entry feature. Simple palisade fencing is proposed to secure the site and prevent access to the eastern part of the site.

Dementia Courtyard

The dementia courtyard to the south eastern corner has been designed to provide sufficient space for groups to gather for activities and to walk around easily and explore. The courtyard offers a simple palette of ingredients. Palisade fencing with screen hedge planting will be installed along the perimeter of the courtyard to create a secure and safe environment for the dementia residents.

Planting seen from the dementia resident's windows will create a soft and delicate outlook and will subtly separate them from the other residential areas. Three large deciduous feature trees will be installed to create attractive outlooks from within the building and provide adequate shade and sun through the seasonal changes. The lower level planting is to be colourful, low maintenance and attractive yet robust and suitable to a seniors living environment.

The communal courtyard area has been designed to be covered so that protection from rain and sun can be provided if necessary, without having to go back inside. Several timber benches and a rotunda shelter will invite the residents and visitors to sit and relax in the garden. The location of the seating areas maximise sun access in the morning and shade in the afternoon sun and shelter from strong winds. A circuitous path is created around the garden providing multiple circulation options from multiple access points.

Internal Courtyards

The internal courtyards offer residents unique outdoor experiences that have an airy open feeling. The internal location of these courtyards provides adequate privacy and welcomes in sunlight. The light that these spaces offer enhance the surrounding rooms, making even the smallest internal rooms feel larger. These courtyards strive to bring the outdoors in.

The lower internal courtyard is situated on grade level, providing a deep soil zone to allow for a medium sized flowering tree. This tree will provide adequate shade and will also be seen from the above level. The adjoining café and lounge will spill out into this space, creating a communal area for residents to dine and gather. The upper internal

courtyard is a suspended paved area with an insitu built planter. The planter is positioned to demarcate a communal area for residents and private courtyard spaces for onlooking residents.

Other Courtyards

Three other ground level courtyards are proposed, one to the sunny northern side of the building, one to the eastern side and one to the south. They have been designed to be versatile spaces, with paved areas for gathering and group activities whilst providing open lawn and generous garden beds for a softened attractive outlook. Water features in the northern and eastern gardens will reflect the sunlight, establishing a sensory feature to be enjoyed by all residents.

Each garden strategically plays on the multiple axis lines created by the architectural forms, directing residents from the internal lounges, dining and residential spaces to the feature elements within each courtyard. This cohesion of architecture and landscape creates spaces where the internal and external environments flow as a singular unified space.

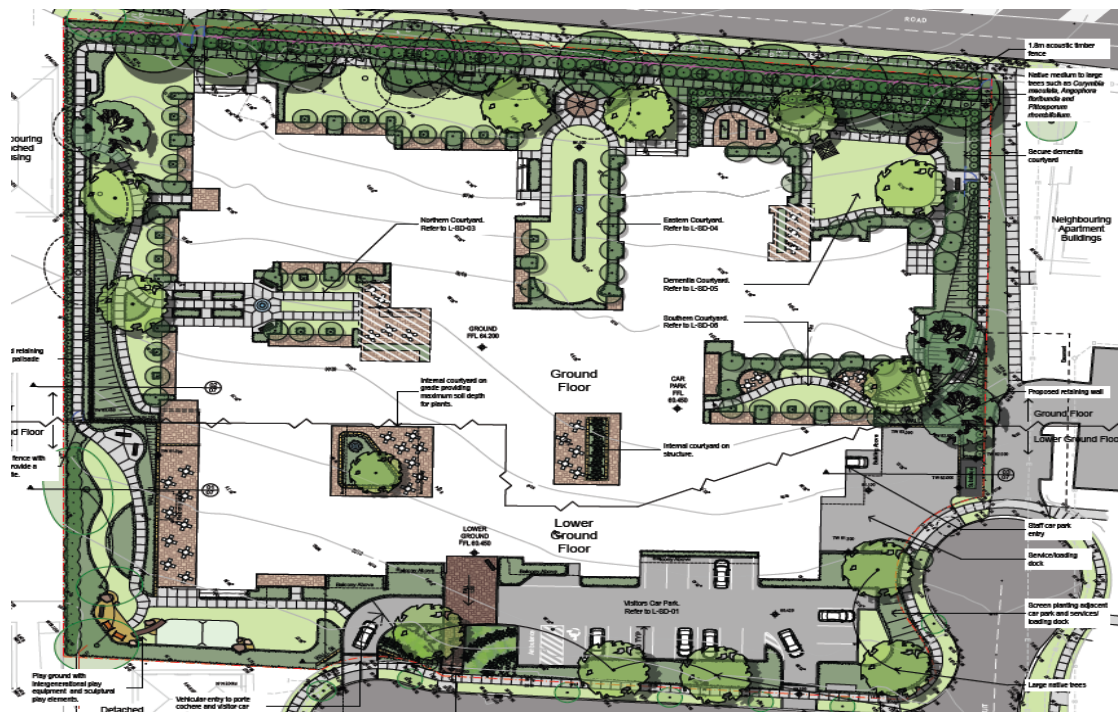


Figure 5: Landscape Concept Plan - Prepared by Arterra Landscape Architects

4.5 Parking & Traffic

Traffic

A traffic impact assessment has been prepared by TTW and is provided at **Annexure 7** and concluded that the proposed development would not have any adverse traffic or parking impacts on the surrounding land uses and road network.

Car Parking

Details of parking and vehicular access are provided in the architectural drawings at **Annexure 2** and the parking and traffic report prepared by TTW at **Annexure 7**.

The proposal provides a total of 38 car parking spaces on site and one (1) ambulance bay and one (1) bus parking space. A breakdown of the car parking is provided in **Table 5** below:

Parking Type	Proposed
Resident parking	Basement/ Lower ground <ul style="list-style-type: none"> - 21 staff parking spaces (1 x accessible space)
	Lower ground (at grade) <ul style="list-style-type: none"> - 17 visitor parking spaces (1 x accessible space) - 1 x Ambulance bay - 1 x Bus space
Total	38 (including 2 accessible spaces) and one (1) ambulance bay and one (1) bus parking space

Table 5: Breakdown of car parking spaces

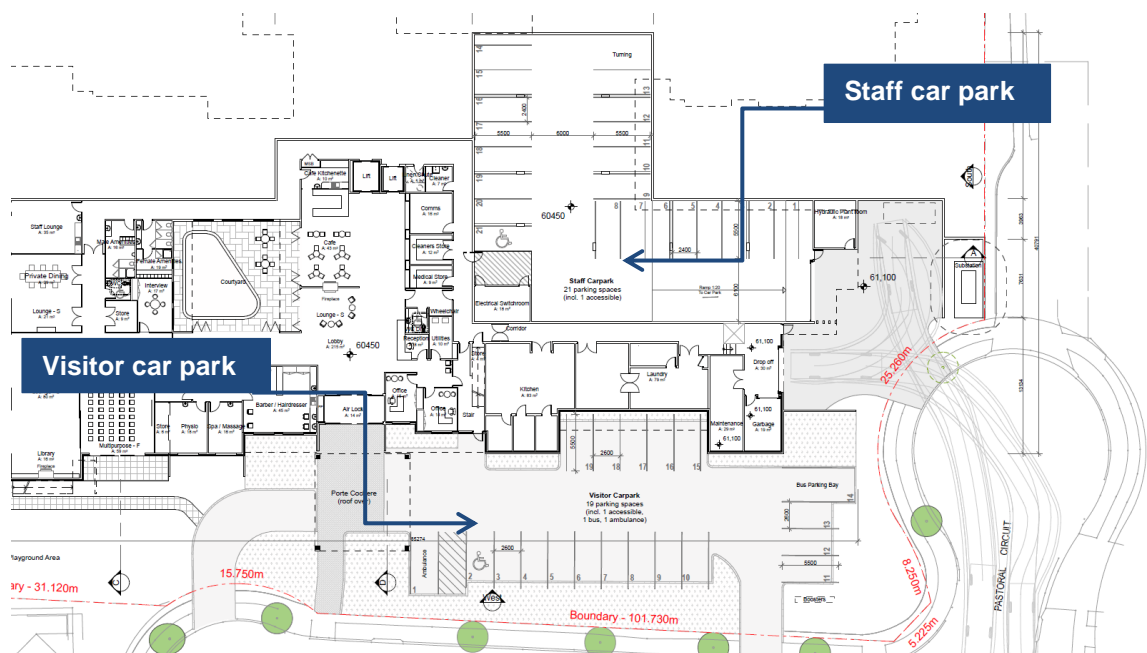


Figure 6: Lower Ground Floor Plan illustrating proposed parking spaces –Prepared by prepared by Calder Flower Architects

4.6 Accessibility

The Access Report prepared by Morris Goding included at **Annexure 10** provides an assessment of accessibility of the proposal in accordance with the relevant provisions of:

- The Building Code of Australia 2012 the BCA (2011);
- The Disability (Access to Premises- Buildings) Standards 2010; and
- Australian Standard AS1428.1 2009.

The report demonstrates that the proposed development appears to satisfy the policy objectives and intent of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and the requirements of AS1428.1 and AS4299 and the BCA 2014 parts D3, E3.6 and F2.4 and consequently satisfy the intent of the development controls relevant at this stage of design and the principles of equitable access of the Disability Discrimination Act.

4.7 Waste Management

A Waste Management Plan has been prepared by Grindley Construction and a detailed plan of the garbage room has been prepared by Calder Flower Architects and is included at **Annexure 4**. The plan provides details of the waste and recycling facilities to be provided for the development and the generated waste volumes and demonstrates compliance with the specific requirements of HDCP 2013.

4.8 Acoustic Impact

The proposed development will be constructed so as to comply with the relevant acoustic treatment requirements. An Acoustic Assessment has been prepared by Acoustic Logic and provided at **Annexure 14**. The report concluded that provided that the treatments set out in section 5 of this report are employed which include a 1.8m high acoustic timber fence along the Greystanes Road frontage, internal noise levels shall comply with the requirements below:

- Holroyd Development Control Plan 2013 'General Controls – Part A'
- Holroyd Development Control Plan 2013 'Pemulwuy Residential Controls– Part P'.
- State Environmental Planning Policy (SEPP Infrastructure) 2007

4.9 Stormwater Management

Stormwater management for the site is detailed in the stormwater management plan prepared by TTW and provided at **Annexure 4**. The report concluded that stormwater management for the proposed development has been designed to meet guidelines issued by Holroyd City Council. The design incorporates the following key properties:

- Water quality treatment measures to meet Council's stormwater pollutant load requirements. These include rainwater tanks to be used for external use only and a Stormwater 360 – VortCapture VC60 to remove litter, fine particles and hydrocarbons; and
- Soil and erosion control measures during construction.

Councils development engineers have confirmed that OSD is not required for the development as the impervious area does not exceed 70% of the site (refer to correspondence in stormwater management plan at **Annexure 2**).

4.10 Building Code of Australia

A BCA Compliance Statement has been prepared by TT Building Services and is provided at **Annexure 9**. The report considered that the development is capable of complying with the applicable requirements of the Building Code of Australia without significant variation to the plans submitted with the Development Application.

4.11 Excavation and Site Preparation Works

It is proposed to undertake site preparation and earthworks including the construction of retaining walls associated with the earthworks. The earthworks include excavation to varying depths across the site up to 2 metres from existing ground level and fill to create a stepped building platform that is appropriate for development. Details of the proposed excavation, site preparation works and retaining walls have been prepared by TTW and are provided at **Annexure 5**. It is proposed to use excavated material for fill material provided it complies with the necessary requirements for fill material. It is considered that the proposed excavation will not have any adverse impact on the site, adjoining properties or the public domain and any potential impacts of the excavation will be minimal for the following reasons:

- There is no excavation extending to the site boundaries
- The proposed excavation is unlikely to impact on the existing drainage patterns.
- The excavation will not adversely impact on future use of the land.

- The site is not a known archaeological site or Aboriginal place of heritage significance.
- The site is not located within close proximity to any water course or environmentally sensitive area.

5.0 Section 79C(1) Matters for Consideration

Section 79(C) of the EP&A Act prescribes the matters which must be considered in the assessment of development proposals under Part 4 of the Act. The following carries out an assessment in accordance with the matters for consideration of section 79(c) of the EP&A Act. The matters for consideration are as follows;

5.1 Relevant Legislation and Planning Controls

The legislation, statutory and policies relevant to the assessment of the proposed development are assessed below.

State Environmental Planning Policies

- State Environmental Planning Policy (Infrastructure 2007)
- State Environmental Planning Policy No.55 – Site Remediation (SEPP 55)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP Seniors)

Relevant Local Environment Plans

- Holroyd Local Environment Plan 2013 (HLEP 2013)

Relevant Development Control Plans

- Holroyd Development Control Plan 2013 (HDGP 2013)

Policies

- Social Impact Assessment Policy

5.2 Strategic Context

A Plan for Growing Sydney

A Plan for Growing Sydney (the Sydney metropolitan strategy) was released in December 2014 and is the NSW Government's 20-year plan for the Sydney Metropolitan Area. It provides direction for Sydney's productivity, environmental management, and liveability; and for the location of housing, employment, infrastructure and open space.

The proposed development is consistent with the general objectives of the Plan for Growing Sydney as it will provide additional accommodation for seniors with a high level of amenity which is in close proximity to existing public transport, facilities and services.

5.3 State Environmental Planning Policies

Section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) sets out specific matters that Council is to take into consideration in the assessment and determination of development applications. The provisions of Section 79C(1) are addressed in **Section 5** of this statement.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 identifies matters which need to be considered in the assessment of development adjacent to particular types of infrastructure.

The proposed development contains a frontage to Greystanes Road which is a road that exceeds 20,000 vehicles per day. Clause 102 of SEPP Infrastructure 'Impact of road noise or

vibration on non-road development' applies to residential development adjacent to roads where an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RTA).

In the interest of caution given the nature of the proposed residential use, an Acoustic assessment was undertaken by Acoustic Logic and the findings and recommendation provided at **Annexure 15**. The aim of the acoustic assessment was to ensure that the noise intrusion from Greystanes Road complies with the SEPP Infrastructure minimum requirements. As a result of the acoustic testing, it was recommended to provide a 1.8 metre acoustic barrier along the eastern boundary to Greystanes Boundary and provide some acoustic treatment to some of the east facing bedrooms.

An acoustic barrier in the form of a 1.8m timber fence has been incorporated into the design and will be setback approximately 1 metre from the boundary of the site so appropriate landscaping can be incorporated into the front setback (refer to **Figure 7**). It is considered that the acoustic fence is an appropriate feature as it will protect the privacy and amenity of the residents and still maintain a suitable streetscape presentation of the development.

Having regard to the above, it is considered that the proposed development is consistent with the acoustic requirements of SEPP Infrastructure.

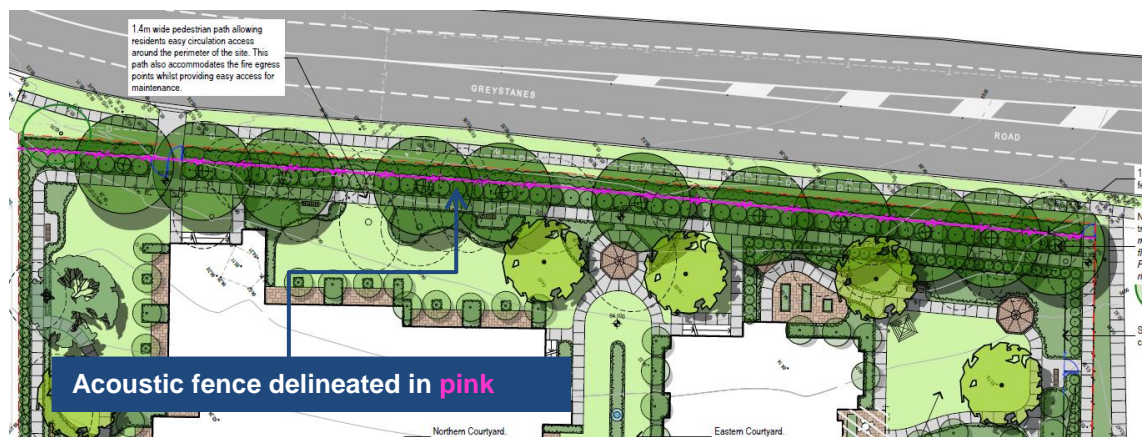


Figure 7: Landscape Plan –Prepared by Arterra Landscape Architects

State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No.55 – Remediation of Land provides for a statewide planning approach to the remediation of contaminated land. Clause 7 of SEPP 55A states the following:

“(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose”*

A preliminary contamination screening was undertaken by EIS which included a visual inspection and laboratory analysis which indicated that they're of the opinion that the AEC identified in the PCSM pose relatively low risk to the site receptors. The site is considered to be suitable for the proposed aged care development.

Having regard to the above, it is considered that the proposed development is consistent with the requirements of SEPP 55.

State Environmental Planning Policy: BASIX

A Residential Care facility is a BCA Class 9c Building therefore SEPP BASIX does not apply. The building is designed to comply with BCA section J requirements for energy efficiency. Refer to BCA compliance statement provided at **Annexure 9**.

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

The proposal is subject to the provisions and requirements of SEPP (Seniors Housing and People with a Disability) 2004.

Chapter 1: Preliminary

Pursuant to Clause 2(1) of SEPP Seniors the aims are as follows:

- (a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and*
- (b) make efficient use of existing infrastructure and services, and*
- (c) be of good design*

The proposed development provides Seniors Housing in the form of a 130 bed residential care facility that will make efficient use of the existing infrastructure and services in close proximity to the site including public transport provisions.

Pursuant to Holroyd Local environment Plan 2013, the land is zoned “Zone R3 – Medium Density Residential Zone”, which allows for the development of Seniors Housing. Based on the zoning, pursuant to Clause 4 of SEPP Seniors, the proposal may be considered under the provisions and requirements of SEPP Seniors

Chapter 2: Key Concepts

The proposed development will provide housing for people aged 55 or more years or persons with a disability. Pursuant to Clause 11 of SEPP Seniors, the premises are defined as a ‘Residential care facility’. A residential care facility is residential accommodation for seniors or people with a disability that includes the following:

- (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 proposed development fits the necessary criteria for a residential care facility as it will provide all meals, cleaning, nursing care, staffing and furnishings to facilitate accommodation for seniors and people with a disability.

Chapter 3: Development for seniors housing

Pursuant to Clause 14 of the SEPP, the objective is as follows:

“to create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are independent, mobile and active as well as those who are frail, and other people with a disability regardless of their age.”

The proposed development will satisfy this objective due to the subject sites location, proximity to services and availability of public transport.

A compliance table reviewing the proposal against relevant SEPP Seniors Clause is provided in **Table 6** below:

Compliance Table - Assessment against State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004		
Part 2 – Site Related requirements		
Provisions	Comment	Complies

26 Location and access to facilities

- | | |
|---|--|
| <p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:</p> <p>(a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>(b) community services and recreation facilities, and</p> <p>(c) the practice of a general medical practitioner</p> | <p>(a) The subject site is positioned approximately 200 metres to the north of Pemulwuy Marketplace shopping Centre which is located at 250 Greystanes Road. Pemulwuy Marketplace contains a number of shops, banks and commercial services including post office, pharmacy and a medical centre (refer to Figure 8 below). ✓</p> <p>(b) The site is in close proximity to education facilities, places of worship and public open space. ✓</p> <p>(c) Pemulwuy Marketplace contains a medical centre and is located approximately 200 metres to the south of the subject site. ✓</p> |
|---|--|



Figure 8: Location aerial showing the subject site and Pemulwuy marketplace. www.sixmaps.com

(2) Access complies with this clause if:

- | | |
|--|--|
| <p>(a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:14, although the following gradients along the pathway are also acceptable:</p> <p>(i) a gradient of no more than</p> | <p>(a) The services referred to in subclause (1) are located within 400 metres of the subject site. ✓</p> <p>(b) The subject site is located in a local government area within the Sydney Statistical Division and there are several public transport services available in close proximity to the site. ✓</p> <p>(i) All necessary services to meet the demands of the residents are accessible via</p> |
|--|--|

- 1:12 for slopes for a maximum of 15 metres at a time,
 - (ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,
 - (iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time, or
- (b) in the case of a proposed development on land in a local government area within the Sydney Statistical Division—there is a public transport service available to the residents who will occupy the proposed development:
- (i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and
 - (ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and
 - (iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services (and from the public transport services to the facilities and services referred to in subclause (1)) complies with subcl. (3),
- an acceptable pathway and bus. Bus stops are located approximately 130, 135 and 170 metres respectively from the subject site on Butu Wargun Drive and Driftway Drive and are accessible via a suitable pathway with a gradient of no more than 1:14 (refer to Site Analysis Plan DA02 at **Annexure 2**).
- (ii) Route 800, 809 and 810 bus stops area located between 130 metres and 170 metres from the subject and are accessible by means of a suitable pathway. These bus routes provide convenient access to Fairfield, Blacktown, Merrylands and Parramatta. ✓
 - (iii) Bus services from the proposed development occur at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive). Access to all of the bus stops in close proximity of the site comply with the permissible gradient (refer to access report at **Annexure 10**) ✓

28 Water and sewer

- (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.
- (1) The subject site is in an established residential area that has access to a reticulated water system and have adequate facilities for the removal or disposal of sewage. The new building will be able to connect to these systems. ✓

- | | |
|---|--|
| <p>(2) If the water and sewerage services referred to in subclause (1) will be provided by a person other than the consent authority, the consent authority must consider the suitability of the site with regard to the availability of reticulated water and sewerage infrastructure. In locations where reticulated services cannot be made available, the consent authority must satisfy all relevant regulators that the provision of water and sewerage infrastructure, including environmental and operational considerations, are satisfactory for the proposed development</p> | <p>(2) It is not proposed to provide water and sewage services different to those provided by the consent authority. ✓</p> |
|---|--|

Part 3 – Design Requirements

Division 1 – General

Provisions	Comment	Complies
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30 Site analysis

- | | |
|--|--|
| <p>(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.</p> | <p>A detailed site analysis plan has been prepared by Calder Flower Architects and includes information on the site and its surroundings. (Refer to DA02 at Annexure 2). ✓</p> |
| <p>(2) A site analysis must:</p> <p>(a) contain information about the site and its surrounds as described in subclauses (3) and (4), and</p> | |
| <p>(b) be accompanied by a written statement (supported by plans including drawings of sections and elevations and, in the case of proposed development on land adjoining land zoned primarily for urban purposes, an aerial photograph of the site):</p> <p>(i) explaining how the design of the proposed development has regard to the site analysis, and</p> <p>(ii) explaining how the design of the proposed development has regard to the design principles set out in Division 2.</p> | <p>The site analysis is supported by this Statement of Environmental Effects, Architectural Design Statement and plans and drawings of sections and elevations. Specific details of the proposal can be found under section 4 of this report and the Architectural drawings at Annexure 2. ✓</p> |

Division 2 – Design Principles		
Provisions	Comment	Complies
Clause 31 Design of in-fill self-care housing	The proposal is for a residential care facility, not self contained dwellings, so that the provisions of this clause do not apply.	✓
Clause 32 Design of residential development		
A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.	It is considered that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.	✓
33 Neighbourhood amenity and streetscape The proposed development should:		
(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and	(a) Development on Pastoral Circuit and Greystanes Road is characterised by a mix of recently built one and two storey detached dwellings and residential flat buildings that range in height from two storeys to four storeys. One of the key principles behind the built form is to break down the massing to a residential scale to respect the existing context and minimise unreasonable amenity impacts on the existing residential developments and public domain.	✓
(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and		
(c) maintain reasonable neighbourhood amenity and appropriate residential character by:	(b) The site is not located within a heritage conservation area and is not in close proximity to any local items of heritage significance. Prospect Hill is located approximately 600m to the west of the site and is a State listed Heritage item. The proposed development has been designed to ensure that views of prospect hill from Greystanes Road and the public domain are not unreasonably obstructed (refer to view study at DA10 in Annexure 2).	✓
(i) providing building setbacks to reduce bulk and overshadowing, and		
(ii) using building form and siting that relates to the site's land form, and		
(iii) adopting building heights at the street frontage that are compatible in scale with adjoining development, &		
(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and	(c) The building has been designed in order to respect the existing character and development patterns of the neighbourhood in	✓
(d) be designed so that the front		

building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and

- (e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and
- (f) retain, wherever reasonable, major existing trees and
- (g) be designed so that no building is constructed in a riparian zone.

terms of bulk and scale when viewed from Pastoral Circuit and Greystanes Road.

The building has a maximum building height of two storeys which is consistent with the existing context. The building has been appropriately articulated with varying setbacks from all boundaries to break up the built form in order to respect the existing character and development patterns of the neighbourhood. Furthermore, the roof is pitched, in keeping with the pitched roofs characterising the neighbourhood.

- (d) It is considered that the building respects the existing building line and pattern of development along Greystanes Road and provides an appropriate transition from the two storey residential flat building to the south of the site down to the single storey dwelling at 81 Greystanes Road to the north of the site. The development provides generous setbacks to the boundaries which are as follows: ✓

Greystanes Road (East)

8.05 metres

Pastoral Circuit (West)

11.25 metres

South

6.49 metres

North

11.15 metres

The proposed building setbacks respect the existing pattern of setbacks and ensure that the proposed development will not have any unreasonable amenity impacts on the adjoining dwellings in terms of bulk privacy. It is considered that proposed development is consistent with the desired scale and character envisaged by SEPP Seniors and HLEP 2013.

- (e) It is proposed to incorporate the planting of a number of indigenous species that will improve the ecological and environmental value of the site ✓

and enhance the existing vegetation. The native species will consist of trees, shrubs and ground layer species (refer to Landscape Plan at **Annexure 3**).

- (f) It is proposed to remove a number of trees from the site which have been identified as having a low to moderately low retention value. These trees will be replaced by more appropriate indigenous species (refer to landscape plan at **Annexure 3** and Arboricultural report at **Annexure 6**) ✓
- (g) It is not proposed to have any buildings in a riparian zone. ✓

Clause 34
Visual and acoustic privacy

The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents 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.

Note. The Australian and New Zealand Standard entitled AS/NZS 2107–2000, Acoustics—Recommended design sound levels and reverberation times for building interiors and the Australian Standard entitled AS 3671—1989, Acoustics—Road traffic noise intrusion—Building siting and construction, published by Standards Australia, should be referred to in establishing acceptable noise levels

- (a) Maintaining privacy to adjoining properties and between rooms within the development is one of the key design informants of the project. The setback zones to the side boundaries are treed and vegetated to provide a landscape buffer between the development and adjacent residences. The side setbacks of the development to the northern boundary range from **11.15m** to **13.85m** and the side setback to the south is a minimum of **6.49m** to ensure there is no unreasonable amenity impacts on the adjoining dwellings in terms of visual bulk and overlooking. It is noted that this setback is significantly greater than the HDCP 2012 side setback requirements for residential development which range from 0.9m to 3m. ✓
- (b) The development has positioned most rooms in the facility away from the driveways and parking areas. Given the development has a two street frontages, it has been difficult to avoid positioning some rooms ✓

away from roads and parking areas. For the affected rooms, appropriate acoustic treatment has been proposed to ensure that these rooms are appropriately protected. The acoustic assessment at **Annexure 14** has recommended acoustic treatments which will be implemented to ensure that there is acceptable noise levels in these rooms.

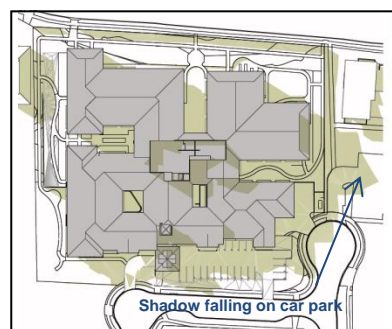
Clause 35
Solar access and design for climate

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, &
 - (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.
- (a) The SEPP does not stipulate standards in respect of solar access to residential care facilities. The details of the design provide adequate opportunity for residents to access sunlight and daylight both from individual rooms, within the central courtyards, landscaped gardens and from the lounge and activity areas within the facility. ✓

The proposed development will not create unreasonable overshadowing to the principal private open space of the adjoining properties and will allow adequate daylight into the adjoining buildings habitable room windows.

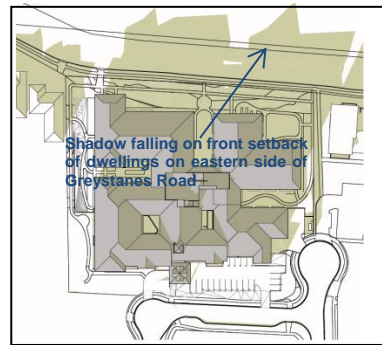
Notwithstanding the above, the proposal results in a small amount of overshadowing at 9am onto the external car park of the adjoining residential flat building to the south west of the site (lot 310) (refer to **Figure 9**)



21 Jun. 9am

Figure 9: 9am Shadow Diagrams

At 4pm, a small amount of shadow falls on the front setback of the dwellings on the eastern side of Greystanes Road. All of these dwellings will still receive the required 3 hours of unobstructed solar access (refer to **Figure 10**).



6 21 Jun. 4pm
Figure 10: 4pm Shadow Diagrams – prepared by Calder Flower Architects

It is considered the small degree of overshadowing is acceptable as it will not overshadow the principle private open space or habitable room windows of any of the adjoining dwellings.

- (b) The building has been designed to reduce energy use and maximise solar access. The development has incorporated a number of internal courtyards and provides a significant area of landscaped open space, partially to the north to maximise solar access. The internal layout of the building has been configured to minimise the number of rooms with a southerly aspect and maximise solar access to the sitting, dining and lounge areas. ✓

Clause 36 Stormwater

The proposed development should:

- (a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, &
- (a) Stormwater management for the site is detailed in the stormwater management plan prepared by TTW and provided at **Annexure 4**. The report concluded that Stormwater management for the proposed development has been designed to meet guidelines issued by Holroyd City Council. The design ✓

- | | |
|--|--|
| <p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p> | <p>incorporates the following key properties:</p> <ul style="list-style-type: none"> • Water quality treatment measures to meet Council's stormwater pollutant load requirements. These include rainwater tanks to be used for external use only and a Stormwater 360 – VortCapture VC60 to remove litter, fine particles and hydrocarbons; and • Soil and erosion control measures during construction. |
| | <p>(b) Council has confirmed that OSD is not required for the development as the impervious area does not exceed 70% of the site. ✓</p> |

Clause 37
Crime prevention

The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:

- | | |
|--|---|
| <p>(a) site planning that allows, from inside each dwelling, general observation of the street, the site and the approaches to the dwelling's entry, and</p> | <p>(a) There is only one main point of pedestrian entry into the facility for those wanting to access the building, simplifying the monitoring of people entering the facility and providing safety and security for the residents. ✓</p> |
| <p>(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and</p> | <p>(b) Access into the residential areas from the lobby is secure. ✓</p> |
| <p>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p> | <p>(c) The internal landscaped courtyards are discreetly enclosed to prevent residents with cognitive issues from wandering off the site. ✓</p> |
| | <p>(d) Windows and communal open space facing the street frontage increases passive surveillance of Greystanes Road and Pastoral Circuit. ✓</p> |

Clause 38
Accessibility

The proposed development should:

- | | |
|---|--|
| <p>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</p> | <p>(a) The development as a whole has been designed to achieve 100% wheelchair accessibility within the facility and around the common areas and access to public transport services and local facilities are via a suitable ✓</p> |
|---|--|

- (b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.
- pathway.
- (b) The facility is provided with a separate visitors parking area which has been appropriately landscaped and provides an accessible parking space. A detailed access report has been prepared by Morris Goding at **Annexure 10**. ✓

PART 4 - DEVELOPMENT STANDARDS TO BE COMPLIED WITH

Division 1 General

Provisions	Comment	Complies
Clause 40		
Development standards—minimum sizes and building height		
(1) General A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.	(1) It is considered that the proposed development complies with the standards specified in this clause.	✓
(2) Site size site must be at least 1000m ²	(2) The development site comprises a total area of 10,481m ²	✓
(3) Site frontage The site frontage must be at least 20 metres wide measured at the building line	(3) The development site has a 112.23m frontage to Greystanes Road and a 101.73m frontage to Pastoral Circuit.	✓
(4) Height in zones RFBs are not permitted If the development is proposed in a <u>residential</u> zone where residential flat buildings are not permitted:	(4) 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 purposes 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).	(a) The proposed development has <u>a maximum building height of 8 metres as defined under the SEPP</u> . Building height is defined under the SEPP as the vertical distance from any point of the ceiling of the topmost floor of the building to the ground level immediately below that point.	✓
(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 storey's in height, and	(b) The building does not exceed two (2) storeys in height at any point.	✓
(c) a building located in the rear 25% area of the site must not	(a) This Clause does not apply as there is <u>no rear</u> to the site as the property has two (2) street frontages along the eastern and western boundaries and dwellings on	N/A

exceed 1 storey in height.

the north and south boundaries.

- (5) **Development applications to which clause does not apply.**
Subclauses (2), (3) and (4) (c) do not apply to a development application made by any of the following:
- (a) the Department of Housing,
 - (b) any other social housing provider

- (5) Clause 5 does not apply to the development.

PART 7 DEVELOPMENT STANDARDS THAT CANNOT BE USED AS GROUNDS TO REFUSE CONSENT

Division 1 General

Provisions	Comment	Complies
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Clause 46

Inter-relationship of Part with design principles in Part 3

Nothing in this Part permits the granting of consent to a development application made pursuant to this Chapter if the consent authority is satisfied that the proposed development does not demonstrate that adequate regard has been given to the principles set out in Division 2 of Part 3. **Note.** It is considered possible to achieve good design and achieve density ratios set out in Division 2. Good design is critical to meriting these density ratios.

Complies

✓

Division 2 Residential Care Facilities

Provisions	Comment	Complies
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Clause 48

Standards that cannot be used to refuse development consent for residential care facilities

A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a residential care facility on any of the following grounds:

- (a) **building height:** if all proposed buildings are 8metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or
- (b) **density and scale:** if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,
- (c) **landscaped area:** if a minimum of 25 square metres of landscaped

- (a) The proposed development does not exceed 8 metres in height (as defined under the SEPP) and is no part of the building is greater than two (2) storeys in height. ✓
- (b) The development has an FSR of **0.69:1** which complies with the standard. The scale of the development has been designed to be in keeping with the existing built form and to minimise any adverse impacts on adjoining neighbours in ✓

area per residential care facility bed is provided,	terms of visual bulk, solar access and privacy.
(d) parking for residents and visitors: if at least the following is provided:	(c) The proposed development has been designed around extensive landscaped gardens and provides a total of 4,778m² of landscaped area which comprises of 45.6% of the total site. This equates to a total of 36.75m ² of landscaped area for each bed within the facility which complies with the standard. ✓
(i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and	(d) A total of 39 spaces (two of which are accessible spaces) are provided plus 1 space suitable for an ambulance. ✓
(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and	(i) 1 space for each 10 RACF beds
(iii) 1 parking space suitable for an ambulance.	111 beds = 12 spaces
	1 space for each 15 RACF beds
	19 beds = 2 spaces
	(ii) 1 space for each two (2) employees
	35 staff = 18 staff spaces
	(iii) 1 suitable space for an ambulance provided
	The SEPP requires provision of 31 spaces. It is proposed to provide 39 car spaces and 1 ambulance bay which complies with the requirement.

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Table 6 – SEPP Seniors compliance tab

5.4 Holroyd Local Environmental Plan 2013

The following section provides an assessment of the proposed development against the relevant sections of Holroyd Local Environment Plan 2013 (HLEP 2013).

Zoning and Permissibility

The site is zoned R3 Medium Density Residential under Holroyd Local Environment Plan 2013 (HLEP 2013). An extract of the Land Zoning map is included at **Figure 11** overleaf.

The proposed development is classified as ‘*Seniors Housing*’ which is a permissible land use in the R3 zone pursuant to the Land Use Table of the HLEP 2013. More specifically, the development is defined as a **residential care facility** and is defined under HLEP 2013 as:

“Accommodation for seniors or people with a disability that includes: meals and cleaning services, and

(a) personal care or nursing care, or both, and

(b) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

Note. Residential care facilities are a type of **seniors housing**—see the definition of that term in this Dictionary”

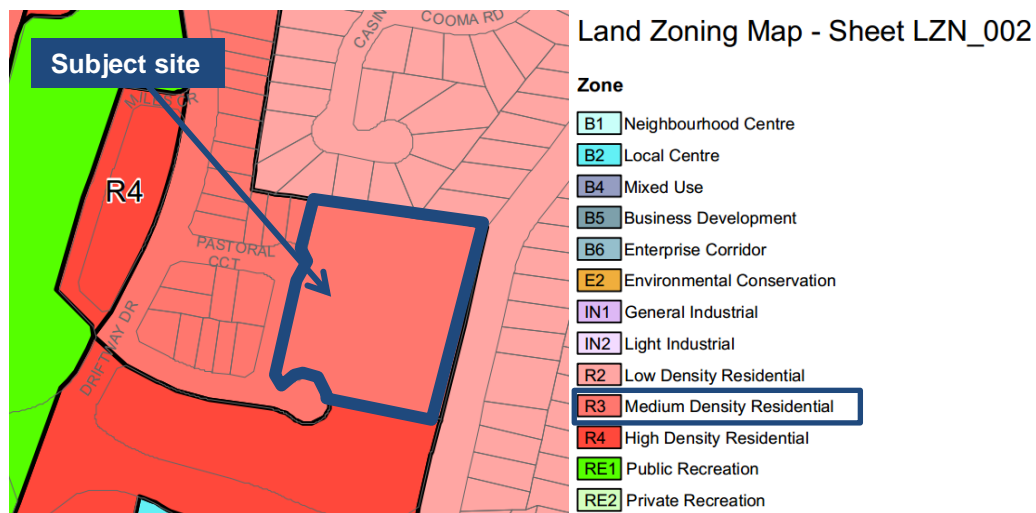


Figure 11: Land Zoning Map, Source - <http://www.holroyd.nsw.gov.au/>

Pursuant to Clause 2.3(2) of the HLEP 2013, the consent authority must have regard to the objectives for development in a zone when determining an application in respect of land within the zone.

The proposal is consistent with the objectives of the R3 Medium Density Residential Zone as detailed in **Table 7**.

Objective	Comment
To provide for the housing needs of the community within a medium density residential environment.	The proposed development will provide a 130 bed residential aged care facility which has a significant social benefit and will assist in meeting the demand for seniors requiring high care in the locality.
To provide a variety of housing types within a medium density residential environment.	The proposed development will provide a RACF that will add variety to the development types in vicinity of the site.
To enable other land uses that provide facilities or services to meet the day to day needs of residents	The proposed development provides housing for seniors which is consistent with the first objective of the R3- Medium Density Residential Zone

Table 7: R3 medium Density Residential Zone objectives Assessment Table

Height of Buildings (Clause 4.3)

In accordance with Clause 4.3 ‘Height of Buildings’ of HLEP 2013 the height of a building on any lands may not exceed the maximum height shown on the ‘Height of Buildings Map’. As

shown in **Figure 11**, the subject site is located in area 'J' and has a maximum building height of 9 metres. Building height is defined as follows in the HLEP 2013:

“building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like”

The proposed development does not comply with the 9 metres height control as defined in the HLEP 2013 but complies with the SEPP Seniors building height control of 8 metres (measured from the ceiling of the topmost floor of the building to the ground level directly below that point) which overrides the HLEP 2013 height of building control.

Notwithstanding, it is considered that the proposal is consistent with the objectives of the height standard outlined in sub clause 4.3(1) as detailed in **Table 8** below.

Objective	Comment
(a) to minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties,	The height of the proposed building is in harmony with the scale of the adjoining built form and creates an appropriate transition from the R4 High Density zone to the south of the site to the R2 Low density zoned land to the north of the site. The development has been designed to follow the topography of the site and step the building down which results in unavoidable building height. The development has also been designed to minimise the visual impact when viewed from adjoining neighbours and will not result in unreasonable amenity impacts in terms of loss of privacy, overshadowing and overlooking into the adjoining neighbours
(b) to ensure development is consistent with the landform,	It is considered that the proposed development is consistent with the landform and the projected scale envisaged by the Height of Building standard in the HLEP 2013 albeit no-compliance.
(c) to provide appropriate scales and intensities of development through height controls.	The proposed scale of the development is considered to be appropriate for the area.

Table 8: Height of Buildings objectives Assessment Table.

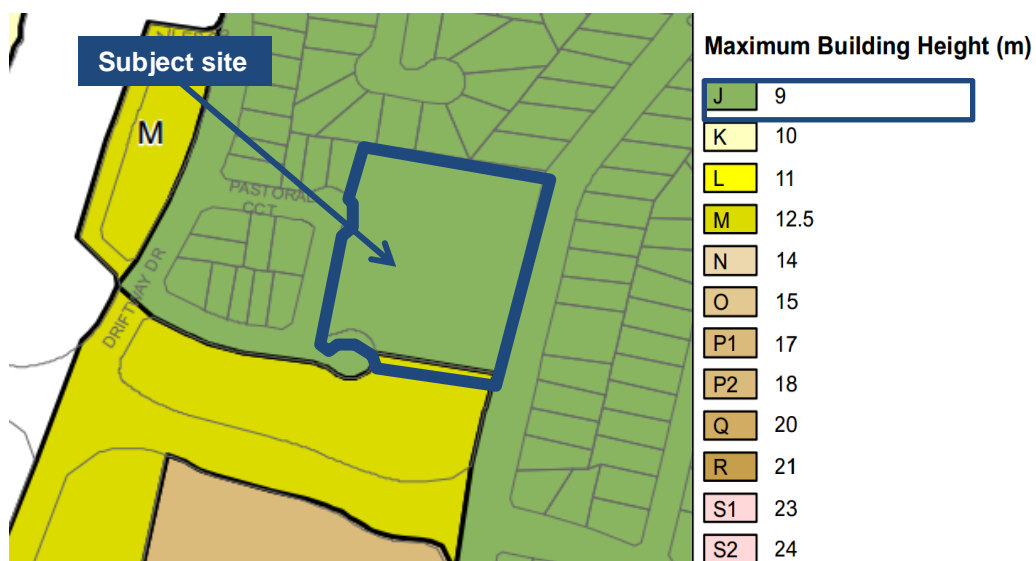


Figure 11: Height of Buildings Map, Source - <http://www.holroyd.nsw.gov.au/>

Floor Space Ratio (Clause 4.4)

Clause 4.4 of the HLEP 2013 provides that the maximum floor space for a building on any land must not exceed the floor space ratio (FSR) shown on the 'Floor Space Ratio Map'. The site is within area 'H' on the Floor Space Ratio Map' and accordingly an FSR of 0.7:1 applies as shown in **Figure 12**. The proposal results in a total gross floor area of **7183m²** which equates to an FSR of **0.69:1**.

The proposed development complies with the FSR permitted in HLEP 2013. It is also noted that the development complies with the SEPP Seniors FSR control of 1:1 which overrides the HLEP 2013 FSR control.

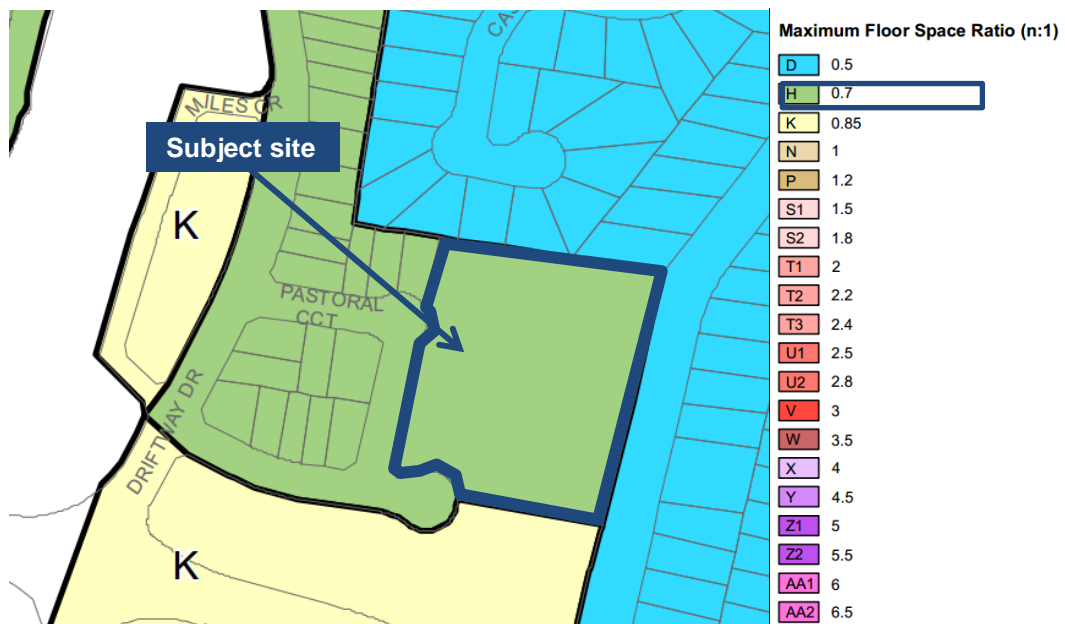


Figure 12: Floor Space Ratio Map, Source - <http://www.holroyd.nsw.gov.au>

Preservation of Trees and Vegetation (Clause 5.9 and 5.9AA)

An arboricultural assessment was completed by Arterra Landscape Architects for all trees likely to be impacted by the proposed development (refer to **Annexure 5**). The trees were photographed, given a unique numbered identification and plotted onto a scaled survey base plan for referencing and identification throughout the report and for discussions and co-ordination with fellow consultants and Council.

The site contains a total of 28 trees. Of the 28 trees it is proposed to remove a total of twenty five (25) in order to accommodate the development (refer to **Figure 13**). Pursuant to Clause 5.9 of the HLEP 2013, consent is required to remove trees which are prescribed species. Of the 25 trees within the site to be removed:

- 5 trees were rated with a **moderate** retention value
- 20 trees were rated with a **low or very low** retention value.

The majority of the trees to be removed are located along the eastern site boundary on the Greystanes Road frontage. Many of these trees are in poor condition and are suffering from the impacts of a variety of pests and disease. The key recommendations of the arboricultural assessment are as follows:

- *Establish a fenced Tree Protection Zones (TPZ) as shown on Tree Protection and Removal Plan (T-02), before any site works commence.*
- *No works, material storage, stock piling or trafficking to be allowed within the TPZs. These areas are to be treated as exclusion zones for the duration of the construction, to be accessed only for the installation of final landscaping and pathways.*

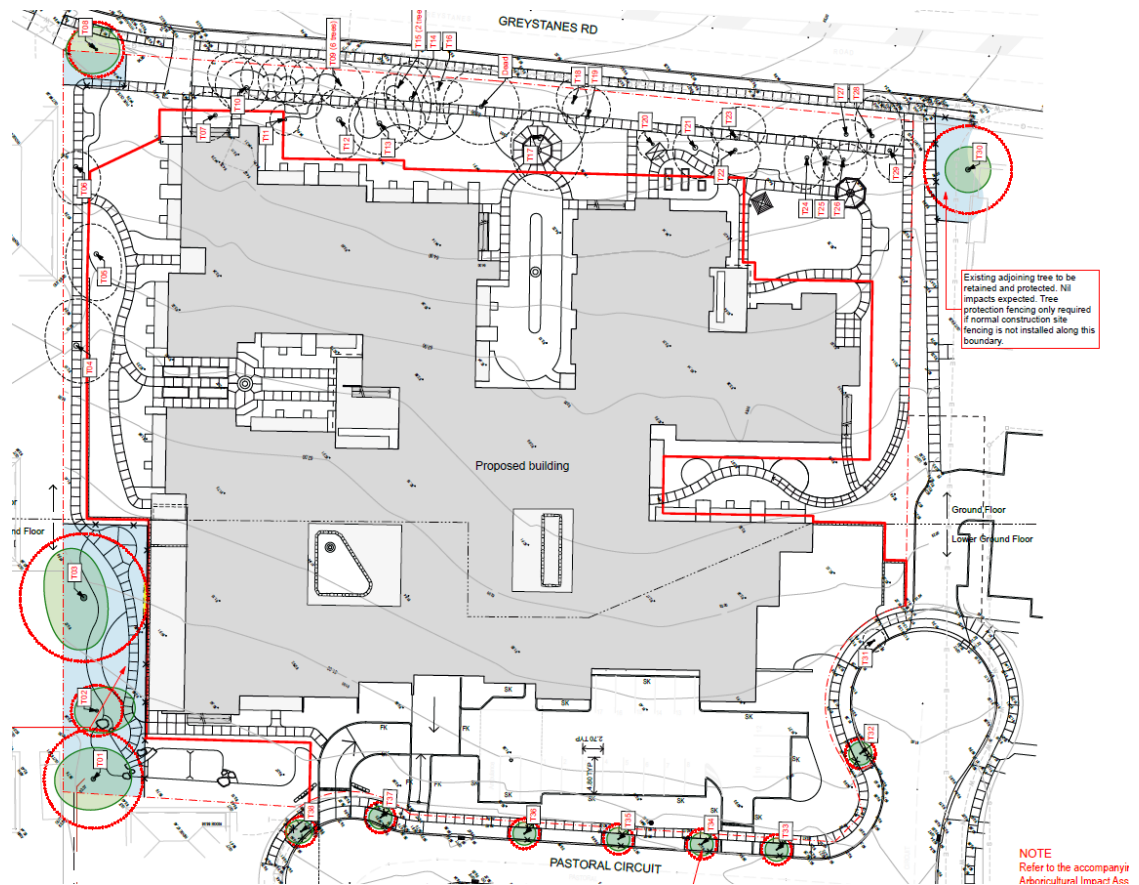


Figure 13: Tree protection and removal plan. source – Arterra landscape Architects

Heritage Conservation (Clause 5.10)

The subject site is not a heritage item or located within a heritage conservation area. The site is not a known archaeological site or Aboriginal place of heritage significance, or known to contain Aboriginal objects of heritage significance. Notwithstanding, the site is located in close proximity to Prospect Hill which is a State listed heritage item I01662 (refer to **Figure 14**). It is considered that there is sufficient separation (approximately 600 metres) between the subject site and Prospect Hill the development will not unreasonably obstruct views to Prospect Hill from the public domain.

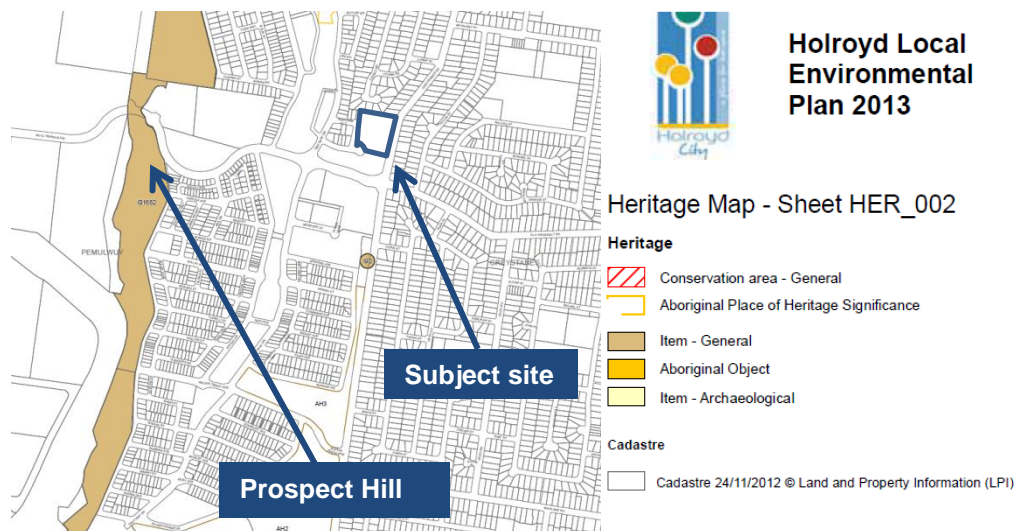


Figure 14: Heritage Map, Source - <http://www.holroyd.nsw.gov.au>

The following view studies in **Figure 15** have been prepared by Calder Flower Architects to assist in demonstrating that the proposed development will not unreasonably detract from the heritage significance of Prospect Hill from Greystanes Road or the properties on the eastern side of Greystanes Road.



Figure 15: View Studies. source – Calder Flower Architects

Earthworks (Clause 6.2)

Clause 6.2 seeks to ensure that ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. Before granting development consent for earthworks, the consent authority must consider the following matters discussed in **Table 9** below.

Provision	Comment
(a) <i>the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,</i>	The proposed earthworks will not have any detrimental impact on existing drainage patterns or soil stability in the area. Adequate soil and water management provisions will be installed during the works to ensure that no soil products are washed off the site.
(b) <i>the effect of the development on the likely future use or redevelopment of the land,</i>	The proposed earthworks are required to prepare the site and form a stepped building platform that is appropriate for the development of a RACF on the land.
(c) <i>the quality of the fill or the soil to be excavated, or both,</i>	All proposed excavation and fill works will be under geotechnical supervision and compaction control to ensure the ongoing stability of the site.
(d) <i>the effect of the development on the existing and likely amenity of adjoining properties,</i>	The effect of the proposed development of the site on the amenity in the area has been fully considered as part of the proposal and it is considered to have minimal impact on the adjoining properties. It is noted that there is no proposed excavation extending to the property boundaries.
(e) <i>the source of any fill material and the destination of any excavated material,</i>	The existing soils on site will be confirmed as being suitable for residential use prior to the issue of CC and any imported fill to be placed on site will be certified as suitable for residential use prior to delivery to site.

(f) <i>the likelihood of disturbing relics,</i>	The site is not a known archaeological site or Aboriginal place of heritage significance. It is recommended that appropriate conditions be imposed on any future consent outlining the measures to be taken during the excavation and should any potential archaeological relics or Aboriginal objects be encountered.
(g) <i>the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i>	The site is not located within close proximity to any water course or environmentally sensitive area
(h) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i>	Adequate soil and water management measures will be installed and maintained during the excavation and fill works to minimise impacts of the development.

Table 9 – Clause 6.2 compliance table

Salinity (Clause 6.8)

Clause 6.8 seeks to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity. As illustrated in the extract from the Salinity map provided in **Figure 16** below, the site is located in an area with a Moderate Salinity Potential. A Salinity assessment was undertaken by EIS and is provided at **Annexure 6**. The assessment concluded that the site was suitable for the development of a RACF subject to the salinity management recommendations outlined in Section 9 of the report being implemented. It is proposed to implement the report's recommendations to minimise adverse salinity risk.

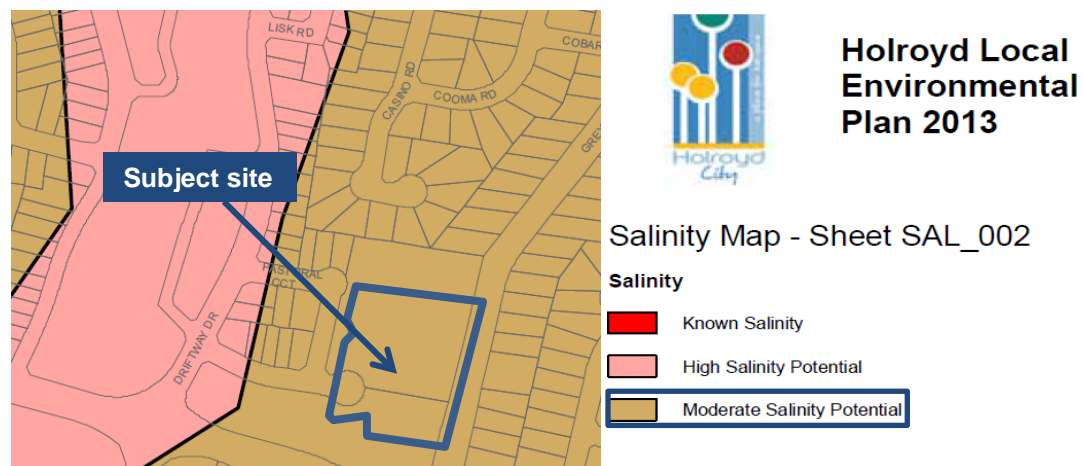


Figure 16: Salinity Map, Source - <http://www.holroyd.nsw.gov.au>

5.5 Holroyd Development Control Plan 2013

The Holroyd Development Control Plan (HDCP 2013) contains more detailed guidelines and controls for development, which supplement the development standards and provisions in the HLEP 2013.

An assessment of the proposed development against the relevant sections of the HDCP 2013 is provided below and includes:

- Part A – General Controls
- Part B – Residential Controls
- Part P – Pemulwuy Residential Controls

General Controls (Part A)

Car Parking (Section 3)

Minimum Parking Spaces (Section 3.1)

Section 3.1 sets out the car parking requirements for development to ensure that adequate and convenient off-street parking facilities are provided for all vehicles generated by the various types of development. The proposal is consistent with the objectives of Section 3.1 and the number of spaces provided is compliant with the parking space requirements specified as outlined in **Table 10** below.

Residential				
Use	Control	Required	Proposed	Compliance
Seniors housing	<p>“Residential Care Facilities” As defined by the SEPP (Housing for Seniors or People with a Disability) 2004 (use for “Nursing and Convalescent Homes”)</p> <p>Refer to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</p>	Complies with SEPP	Complies with SEPP	Yes

Table 10: DCP parking rate compliance Table

Parking Design Guidelines (Section 3.2), Dimensions and Gradients (Section 3.3) and Access Manoeuvring and Layout (Section 3.5)

Section 3.2, 3.3 and 3.5 sets objectives to ensure that parking areas are accessible and usable and adequately provide for the circulation and manoeuvring of vehicles. A Traffic and Parking Assessment report has been prepared by TTW and is provided at **Annexure 7**. The report demonstrates that the proposal meets the objectives of Council's parking controls and is compliant with Council's parking design guidelines and is also compliant with the minimum parking provision meets the minimum requirements outlined in SEPP Seniors. The Traffic and Parking Assessment report made the following conclusions:

“The proposed development is acceptable and supportable and will have no adverse impact on the road system and parking conditions for the general operational activities of the site”

In summary, the proposed development is supportable on traffic planning grounds and will not have an unreasonable impact on the surrounding road network or amenity of surrounding businesses and neighbours.

Parking for the Disabled (Section 3.6)

Section 3.6 sets objectives to ensure that parking areas are readily accessible and that parking spaces are provided for disabled people in accordance with the controls of the HDCP 2013 which requires two (2) spaces per 100 visitor or customer spaces. The proposal is consistent with the objectives of Section 3.6 and provides two (2) accessible spaces – one in the visitor car park and one in the staff car park (refer to Lower ground Floor Plan DA02 at **Annexure 2**).

Tree and Landscape works (Section 4)

Section 4 sets objectives to guide the management of trees and seeks to conserve and retain trees and vegetation that are of significance and ensure a high standard of environmental quality for developments. It is proposed to remove 25 trees from the site which were considered to have a low or moderately low retention value. It is proposed to retain and protect three (3) trees on site which were assessed and considered to have a high retention value. The proposed development will not impact on the health of the three (3) trees and encroachments on their tree protection zones will not exceed 10%. Further discussion in relation to the proposed tree removal is provided under section 5.4 of this report.

It is proposed to provide a total area of **4,778m²** of landscaped area which equates to **45.6%** of the site. It is considered that the proposed provision of landscaped open space meets the objectives of section 4 and maintains an appropriate level of landscaped open space consistent with the established and envisioned setting of Pemulwuy. A Landscape Plan and landscape design statement has been provided at **Annexure 3** which details the proposed landscape works in detail.

Soil Management (Section 6)

Cut and Fill and retaining Walls (Section 6.1)

This section sets out particular objectives that focus on minimising the amount of cut and fill on land to protect the natural drainage patterns and also seeks to allow buildings to follow the natural topography of the land, as much as possible, to minimise the need for cut and fill.

The subject site is of significant scale and is positioned on a side of a hill with a level difference of approximately 4.6m across the site, making the need for earthworks difficult to avoid as development must respond to the slope of the land and incorporate split levels to avoid excessive height. The excavation will be of varying depths and will be approximately 2m at its deepest point (refer to **Figure 17**). The proposed cut and fill works are considered acceptable given the scale and topography of the site and it is unlikely to have any unreasonable amenity impacts on the adjoining properties as there is no excavation proposed on the boundaries.

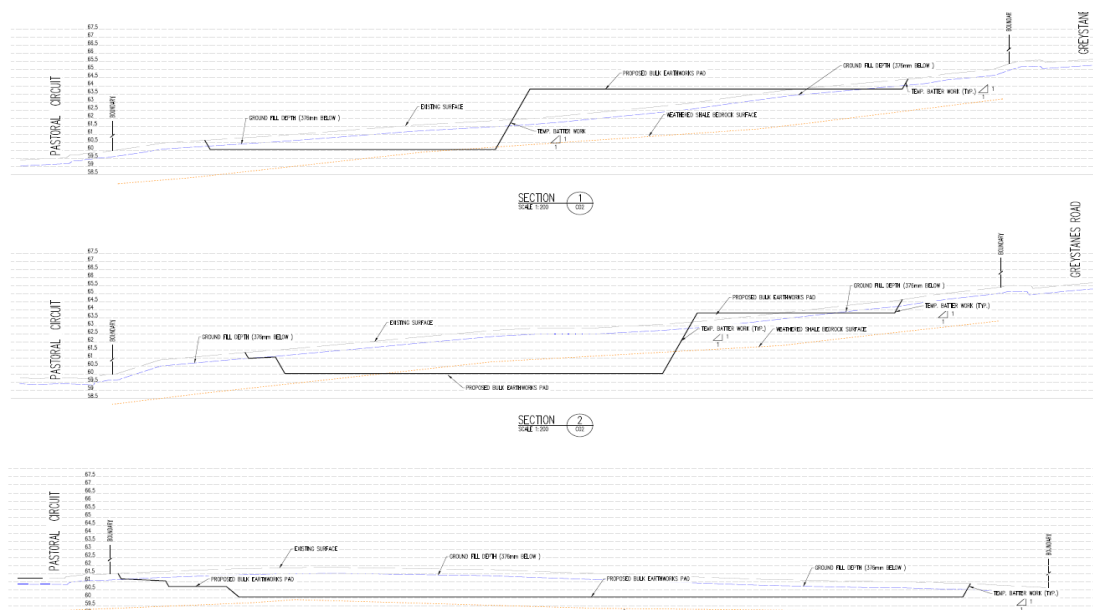


Figure17: Bulk Earthworks Section Plan – prepared by TTW

The proposed earthworks necessitate retaining walls to ensure the stability of the soil. The position of the proposed retaining walls is illustrated on the Retaining Wall Plan & Typical Sections prepared by TTW at **Annexure 5**.

Site Contamination and Land Filling (Section 6.2)

A preliminary contamination screening was undertaken by EIS and is provided at **Annexure 6** and considered the site to be suitable for the development of a RACF. Refer to section 5.3 of this report for further discussion.

Erosion and Sediment Control (Section 6.3)

An Erosion and Sediment Control Plan has been provided at **Annexure 5** which addresses the necessary requirements on section 6.3 of HDCP 2013.

Salinity management (Section 6.5)

A Salinity assessment was undertaken by EIS and is provided at **Annexure 12**. The assessment concluded that the site was suitable for the future development of a RACF. Refer to section 5.4 of this report for further discussion.

Waste Management (Section 11)

Section 11 sets objectives and outlines requirements to control the management of waste for development and ensure that developments provide adequate facilities for waste and recycling services. A Waste management Plan has been provided by Grindley and is supported by a garbage room plan that is provided at **Annexure 8**. Appendix B of the HDCP provides waste/ recycle generation rates for specific uses but does not include Seniors Housing or RACF development. In the absence of a prescriptive rate, the garbage room has been designed in accordance with the scale of garbage rooms in other Allity developments of a similar scale. The garbage room can accommodate 4 x 1100 general waste bins and 2 x recycling waste bins and will incorporate the following features:

- Mechanical ventilation
- Hot and cold water supply
- An internal bin wash-down area
- A graded floor that is connected to the sewer.

It is considered that the number of bins provided will adequately cater for the expected quantity of garbage and recycling material. The garbage room has been positioned away from adjoining residential properties and rooms within the facility to minimise any amenity impacts and has been configured so Councils standard garbage collection vehicles or private waste operators can enter and exit the garbage collection area in a forward motion (refer to **Figure 18**).

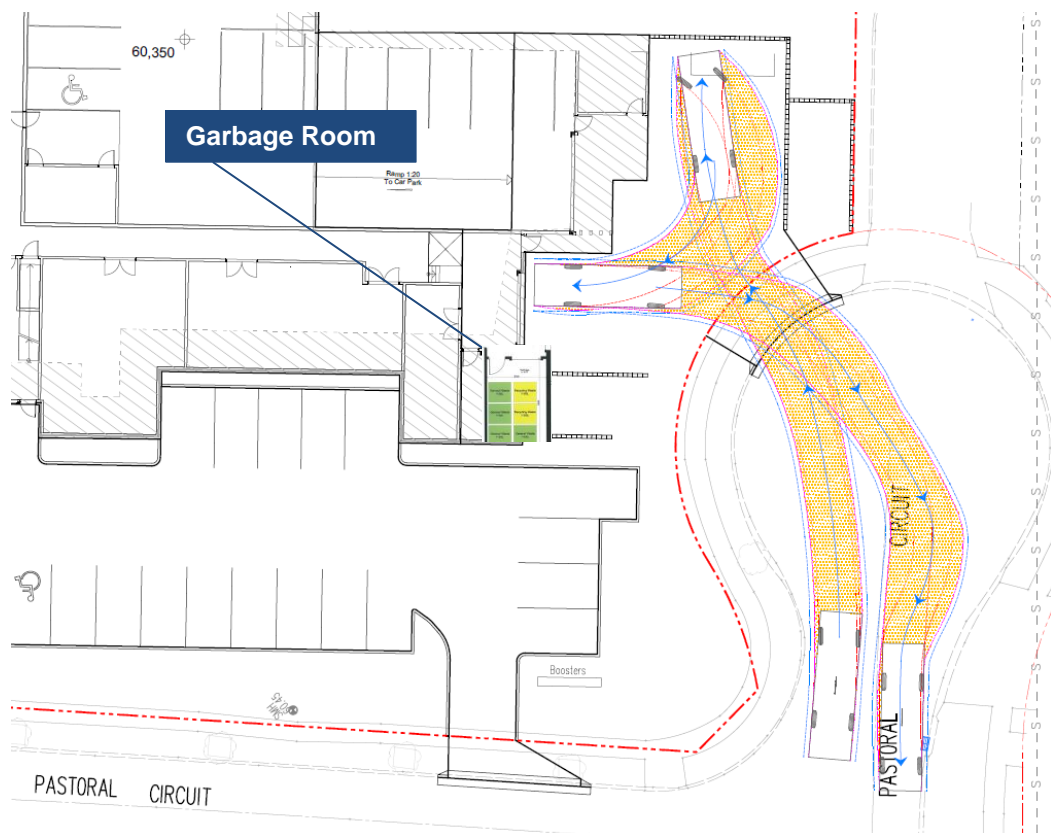


Figure 18: Turning Path of MRV 8.8m for loading Dock source – TTW

Residential Controls (Part B)

The proposed development is a RACF development and is not a listed land use within Part B of the HDCP 2012. Notwithstanding, the proposed development is located with land zone Residential under HLEP 2012 and a response to the relevant controls have been provided below.

General Residential Controls- Section 1

Building Materials (section 1.1)

The proposed materials for the RACF are considered to be compatible with the streetscape and character of the Pemulwuy locality. Refer to **section 5.4** of this report for further discussion.

Fences (Section 1.2)

It is proposed to provide a 1.8 metres high timber acoustic fence to provide noise attenuation from vehicular traffic on Greystanes Road as discussed in **section 5.3** of this report. It is proposed to retain the existing 1.8m timber paling fences to the northern boundary and part of the western boundary to 7 Pastoral Circuit.

Views (section 1.3)

The proposed development has been designed so it will not unreasonably detract from the heritage significance of Prospect Hill from Greystanes Road, the properties on the eastern side of Greystanes Road and the public domain (Refer to view studies in **Figure 15** above).

Privacy (section 1.4)

The proposed development has been designed to provide a high level of visual and acoustic privacy for residents of the RACF. The development has also been designed to ensure that there is no unreasonable visual and acoustic impact on adjoining dwellings and the public domain. The privacy and amenity of adjoining neighbours has been respected by setting back the building significantly from the shared boundaries. The setback zones to the side boundaries are also treed and vegetated to provide a landscape buffer between the facility and adjacent residences (Refer to landscape plans at **Annexure 3**). It is considered that the proposed development will not result in unreasonable privacy impacts on the adjoining properties or public domain. Refer to the SEPP compliance table in **section 5.4** of this report for further discussion.

Landscaping and Open Space (Section 1.5)

The proposed development provides 4,778m² of landscaped area (45.6%). Further details of the proposed landscaping are provided in the Landscape Plan and Landscape Design Statement at **Annexure 2** and in **Section 5.3** of this report.

Safety and Security (Section 1.6)

The RACF as a whole will be a positive partner to the residential neighbourhood providing daily activity and passive surveillance throughout both daytime and night time. The development has been designed to offer resident security by having a security access system at the main pedestrian entry point to the building, within lifts, external entries to community rooms and gated access to the open space.

Cut and Fill (Section 1.9)

The subject site experiences a significant fall of approximately 4.6 metres from East to West. The development steps down the site and it is proposed to excavate to varying depths across the site up to 3 metres from existing ground level and fill up to 2 metres above existing ground level and provide a series of retaining walls. Further discussion on the extent of cut and fill is provided in section **4.11** of this report.

Pemulwuy Residential Controls (Part P)

The proposed development is located within the Pemulwuy North Sub Precinct (refer to **Figure 19**) and therefore must have consideration of the relevant controls within Part P of the HDCP 2012.

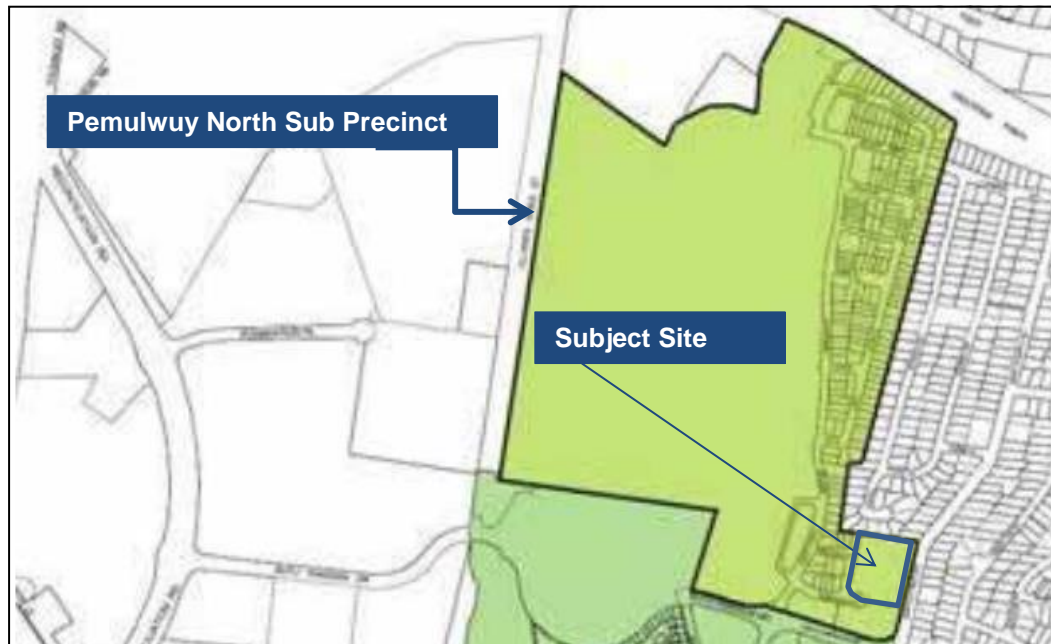


Figure 19: Extract from HDCP 2013 Part P – Pemulwuy Residential Controls

Building and Siting Requirements for Residential Development – Section 4

Elevated Sites (steep land) (section 4.2)

The proposed development responds to the topography of the site which falls approximately 4.6m to the west from Greystanes Road. The proposed development has split levels and does not exceed 2 storeys in height at any point of the development and provides appropriate residential amenity to the adjoining neighbours in respect of visual privacy, bulk and overshadowing.

Setbacks (Section 4.5)

The proposed development has incorporated generous setbacks that greatly exceed the HDCP 2013 setback requirements as illustrated in **Table 11** below. It is also noted that the subject site comprises of two street frontages – Greystanes Road and Pastoral Circuit, so it does not technically have a rear.

HDCP setback control	Proposed
Rear of Building – 1 storey – 6m, 2 storey – 8m	Greystanes Road (East) - 8.05 metres
Front of Building – 3m – 4.5	Pastoral Circuit (West) - 11.25 metres
Side 0.9m – 3m	South - 6.49 metres North - 11.15 metres

Table 11: HDCP setback comparison review

Roof Design (Section 4.11)

The proposed roof design is consistent with the objectives of HDCP 2013 and will contribute to the variety and diversity of built form in Pastoral Circuit and in Greystanes Road. The roof is consistently pitched with deep eaves and overhangs. The roof of the building addressing Pastoral Circuit is articulated with three gabled elements and a centrally positioned glazed lantern skylight at the highest ridge point.

The Porte Cochere is a freestanding pavilion style structure with a glazed gable detail over the hipped roof. The traditional roof forms are familiar and recognizable in the suburban precinct. The roofing gutters and downpipes are colourbond colour 'Shale Grey' which is an appropriate colour for the surrounding context. It is considered that the proposed roof design is appropriate to the surrounding context and complies with the objectives of the section 4.11.

Sub precinct Controls – Pemulwuy North – Section 5

Height Limits (section 5.1)

The proposed development has a maximum height of two storeys which complies with the storey requirements of the two storey zone pursuant to cl. 5.1 Height limits. The building has a maximum height of 11.4 metres which exceeds the suggested height, however the development is compliant with the SEPP Seniors building height requirement of 8 metres which sets aside the HLEP 2013 and HDCP height controls.

Heritage (section 8)

Prospect Hill State Heritage registered Area (section 8.4)

The proposed development has been designed and sited so that the views of Prospect Hill's ridgeline from Greystanes Road and the public domain are not unreasonably obstructed. Refer to section 5.4 of this report for further discussion. .

5.6 Policies

Holroyd City Council Social impact Assessment Policy

The Social Impact Assessment Policy identifies the importance and rationale for Social Impact Assessment (SIA) and provides a framework for ensuring that SIA is effectively integrated into Council's decision-making processes.

It is considered that the proposed RACF will not give rise to any adverse social impacts. The proposal will have a positive social impact by responding to the demand for aged care in Pemulwuy and the broader Holroyd LGA. Future residents of the development will benefit from a location within an area that is in close proximity to readily accessible services, facilities and public transport which also provides access to local and regional centres.

The proposal provides greater activation and surveillance of the public domain with the orientation of a number of room's balconies overlooking Pastoral Circuit and Greystanes Road further improves passive surveillance of the public domain.

The proposed RACF facility will provide accommodation for 130 high care and dementia care residents which is considered to have a significant positive social impact on the locality as a consequence of its active promotion of;

- social cohesion
- community structure, character, values and beliefs
- a sense of place and community
- the interaction between new development and the community
- social equity, socio-economic groups and the disadvantaged
- social displacement
- social change management.

5.7 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Traffic

A Traffic and Parking Report has been prepared by TTW and is provided at **Annexure 7**. The report concluded that the development would not have any adverse traffic or parking impacts on the surrounding land uses and road network.

Parking

The Traffic and parking report concluded that the proposed development meets the minimum parking requirements of SEPP Seniors, HDCP 2013 and the BCA.

Solar Access and Overshadowing

The building has been designed to maximise solar access while minimising any adverse impacts on the adjoining properties in terms of solar access and overshadowing. The proposed development does not result in any unreasonable overshadowing on the adjoining properties or the public domain. Further discussion in relation to solar access and overshadowing is provided in the compliance table at section **5.5** of this report.

Access

An Access Report has been prepared by Morris Goding and is provided at **Annexure 10**. The report determined that the development is capable of achieving all of the necessary access requirements. Further discussion in relation to access is provided in the compliance table at sections **5.4** of this report.

Privacy Impacts

Privacy to adjoining properties- in particular the residential dwellings to the north of the site, has been ensured by generous setbacks to the common boundaries, extensive vegetation to the setback zones and considered articulation of the built form. It is considered that the proposed design features sufficiently mitigate shadow and privacy impacts on the existing residential developments surrounding the site.

Visual Impacts – Bulk and Scale

The proposed development is considered to have a positive impact on the streetscape. This is achieved by a building height is appropriate and consistent with its context and a building form that responds to the site and follows the topography of the site. The bulk and scale of the proposal is not out of character with the existing character which includes residential flat building directly to the south and south west of the site ranging from 2 storey to 4 storey in height. It is considered that the proposed development sits comfortably within the streetscape and does not adversely impact on the streetscape or have any adverse impacts in terms of bulk and scale on the adjoining properties.

Noise Impacts

The proposed development will be constructed so as to comply with the relevant acoustic treatment requirements. An Acoustic Assessment has been prepared by Acoustic Logic and provided at **Annexure 14**. The report concluded that the proposed development is capable of complying with the relevant acoustic guidelines and regulations subject to the implementation of their recommendations which includes a 1.8 metre high timber acoustic fence along the eastern frontage to Greystanes Road setback 1m from the boundary.

Earthworks and Site Preparation

It is considered that the proposed earthworks and associated retaining walls will not have any adverse impact on the site, adjoining properties or the public domain and any potential impacts of the excavation will be minimal for the following reasons:

- There is no excavation extending to the site boundaries
- The proposed excavation is unlikely to impact on the existing drainage patterns.
- The excavation will not adversely impact on future use of the land
- The site is not a known archaeological site or Aboriginal place of heritage significance
- The site is not located within close proximity to any water course or environmentally sensitive area
- The proposed works will ready the site for future development

Stormwater

The proposed development is considered acceptable and the concept stormwater drainage plan has been designed to minimise the impacts of stormwater runoff on adjoining properties. The development does not require OSD as the pervious area does not exceed 70% of the site area. Refer to the Stormwater Management Plan prepared by TTW and provided at **Annexure 4**.

Economic Impacts

The proposal will have a significant positive impact on the locality during the operation and throughout the construction phase through the creation of a number of temporary and full-time employment opportunities.

Having regard to the above it is considered that the proposal will have a positive economic impact.

Safety, Security and Crime Prevention

The proposed development has taken into consideration the 4 main principles of Crime Prevention Through Environmental Design (CPTED) – Surveillance measures, Access Control, Territorial Reinforcement. Further discussion in relation safety and security is provided in the compliance table at sections **5.4** of this report.

Social Impacts

The proposal will not give rise to any adverse social impacts. The proposal will have a positive social impact on the Pemulwuy Area providing aged care accommodation including dementia specific housing.

(c) The suitability of the site for the development;

5.7 Does the proposal fit the locality?

The site is considered suitable for the proposed development as demonstrated by the previous 138 bed RACF development that was approved in 2010 on the subject site. Furthermore, the subject site is located in an area that is characterised by a mix of developments ranging in scale including large residential flat buildings and detached one and two storey dwellings.

The proposed development seeks to provide a RACF which is a permissible use and is consistent with the objectives on the R3 – medium Density Zone - which specifically seeks to provide for the housing needs of the community within a medium density residential environment. The proposed building is highly articulated and of a high aesthetic appeal which will result in a positive visual outcome. The building contains pitched roofs and has a maximum building height of two storeys which respects the existing character and development patterns of the neighbourhood.

Are the site attributes conducive to development?

There are no significant natural or environmental constraints that would hinder the proposed development, and accordingly the site is considered suitable for the proposed development.

(d) Any submissions made in accordance with this Act or the regulations;

5.8 Submissions

Any submissions made during the course of notification of this application will be taken into account by the Council in their assessment of the application. The applicant is willing to respond to such submissions accordingly.

(e) The public interest.

5.9 State and Local Government interests and community interests

The proposed development will provide a positive contribution to Pemulwuy and the wider Holroyd LGA through the development of a high quality building that is compatible with the scale and pattern of development in the area. The proposed development has been designed to minimise its visual impact in terms of visual massing, bulk and scale impacts when viewed from the adjoining properties, within the public domain and from within the site itself.

The proposal is considered to be in the public interest as it provides a significant social benefit and will assist in meeting the demand for seniors requiring high care in Pemulwuy and the broader Holroyd LGA. Furthermore, the development will provide a number of employment opportunities both during construction and once operational.

6.0 Conclusion

The development application seeks development consent for the construction of a two (2) storey 130 bed Residential Aged Care Facility (RACF), basement car park, earthworks, removal of trees and associated landscaping at 11 Pastoral Circuit, Pemulwuy. The proposal is considered supportable for the following reasons:

- The proposal is permissible in the R3 Medium Density Residential Zone and is consistent with the relevant zone objectives.
- The subject site is unusually large being 10,481m² which affords potential to accommodate for development of a larger built form mitigated by a combination of appropriate setbacks and landscaping.
- The proposal fully complies with all of the standards specified in Clause 40 of SEPP Seniors and the building does not exceed the SEPP Seniors 8metre / two (2) storey height controls.
- The proposed development has a FSR of 0.69:1 which complies with the 0.7:1 FSR control in HLEP 2013 and is significantly less than the 1:1 FSR that is permitted under SEPP Seniors.
- The development has incorporated generous setbacks and design features to mitigate shadow and privacy impacts on the adjoining residential buildings and the public domain.
- The development provides a generous landscape provision of 4,779m² (45.6% of total site area) which exceeds the SEPP requirements and will mitigate visual impact of the built form when viewed from the public domain and the neighbouring properties.
- The development provides sufficient car parking that is consistent with the requirements of SEPP Seniors and HLEP 2013 and will not result in an unreasonable increase in traffic generation.
- The site is considered suitable for a RACF development particularly given a 138 bed RACF development was approved on the subject site in 2010 which incorporated similar features and was of a similar scale to the proposed development.

- The proposal for a 130 bed residential care facility provides a significant social benefit and will assist in meeting the demand for seniors requiring high care in Pemulwuy and the broader Holroyd LGA.
- The proposed development has been designed with a high standard of amenity for the future residents, including good solar access, open space provision and cross ventilation.
- The proposed development is well located in relation to public transport options, shopping, business and community services, as well as recreation facilities.
- The proposal is considered to be in the public interest and will have positive social and economic impacts.

Having regard to the above, the proposal has significant merit and is worthy of approval
