

Development Application Statement of Environmental Effects



68-82 Stewart Avenue, Hammondville

New Aged Care Facility

Submitted to Liverpool City Council
On Behalf of HammondCare

December 2016 ■ 16571

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This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by:

A handwritten signature in black ink, appearing to read 'Forrester'.

Chris Forrester

8/12/2016

This report has been reviewed by:

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Michael Rowe

8/12/2016

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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Liverpool City Council in support of a Development Application (DA) for a new aged care facility at 68-82 Stewart Avenue, Hammondville (the site).

The DA seeks approval for:

- partial demolition of Bond House and demolition of other existing aged care buildings on the site;
- site preparation works including excavation and tree removal;
- the staged construction of ten buildings providing 155 beds of low to high seniors housing and communal facilities;
- at-grade and basement car parking; and
- site landscaping and infrastructure upgrades.

The SEE has been prepared by JBA on behalf of HammondCare, and is based on the Architectural Drawings provided by Integrated Design Group (see **Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

1.1 Background

1.1.1 Consultation

A Pre-DA meeting was held with the representatives of Liverpool City Council (Council) on 31 August 2016 to discuss the proposal and gain preliminary feedback (Ref. No. PL-124/2014). Council staff provided written feedback on 5 September 2016, which has been incorporated into the proposed development as appropriate.

1.1.2 History of the Proposal

HammondCare is an independent Christian charity that specialises in dementia and aged care, palliative care, rehabilitation and older people's mental health. They are recognised both nationally and internationally as being one of Australia's most innovative health and aged care providers. They offer hospital care, residential care, and community services across NSW and Victoria.

Designed as a post-war initiative for the Hammondville area, the Hammondville Homes for Senior Citizens project was established by the Hammond's Pioneer Homes Trust. The aim was to integrate an elderly community within the existing settlement at Hammondville. The first buildings were erected by the early 1950's and over the years the complex continued to grow into the extensive aged care facilities currently at the site.

It is proposed to continue this long history of providing high quality aged care facilities to the Hammondville community by redeveloping the Bond House Complex into a new generation aged care facility. The development has been designed in accordance with the HammondCare philosophy and best practise care principles to ensure the highest standard of living is provided for its future residents.

1.1.3 Permissibility

The proposed seniors living land use is not permissible under the R2 Low Density Residential zone and by virtue of being Environmentally Sensitive Land is not made permissible by the

Senior's Living SEPP. Nevertheless, it is considered to satisfy the existing use rights provisions of the *EP&A Act 1979* and the associated Regulations as follows:

- “existing use” means “*the use of the building, work or land for the lawful purpose immediately before the coming into force of an environmental planning instrument having the effect of prohibiting that use.*”
- the site has a long history of being lawfully used for the purposes of seniors housing;
- the seniors housing use was a lawful use immediately before the introduction of the *Liverpool Local Environmental Plan (LEP) 2008* which made it prohibited; and
- the use has operated continuously on site since this time.

In light of the above the use of the site for seniors housing is protected by section 109B of the *EP&A Act* and has not be abandoned for the purposes of satisfying the criteria of existing use rights. A development application for the alteration, rebuilding, enlargement, expansion or intensification of the existing use can therefore be made in accordance with Clause 41 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg).

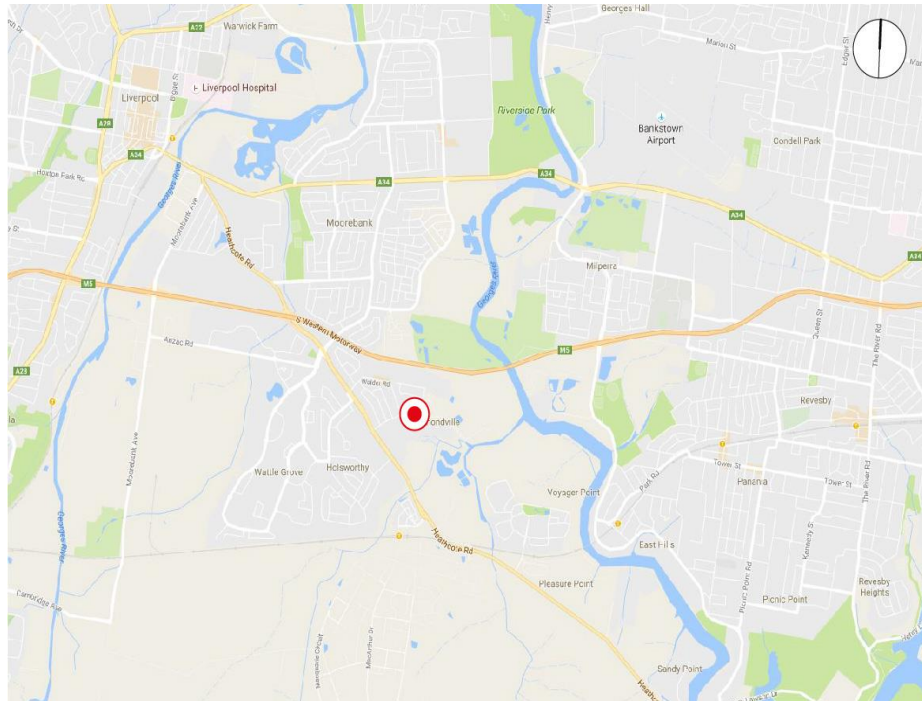
A detailed analysis of existing use rights as they relate to the development is provided at Section 4.1 of this report.

2.0 Site Analysis

2.1 Site Location and Context

The site is located at 68-82 Stewart Avenue, Hammondville within the Liverpool City Council Local Government Area (LGA). It is located approximately 25km south west of the Sydney CBD, 4.5km south east of the Liverpool CBD, 4km south of Bankstown Airport, 3km north of Heathcote National Park, and west of Lieutenant Cantello Reserve and the Georges River.

The site's locational context is shown at **Figure 1**.



● The Site

Figure 1 – Locational context of the site

2.2 Site Description

The site (that is, the area proposed to be developed) forms part of Lot 152 in DP 717956. Lot 152 currently accommodates HammondCare residential aged care services, including independent living units, home care services and a residential aged care facility. The site itself accommodates a residential aged care facility and undeveloped land. Lot 152 DP 717956 and the site are shown in **Figure 2** below.



Figure 2 – Aerial photo of the site

Existing Development

Lot 52 consists of a complex of buildings of various architectural designs dating from the early 1950's. These buildings which line a number of cul-de-sac avenues are arranged in a roughly circular site and form the Hammondville Homes for Senior Citizens. The subject site (known as the Bond House Complex) is characterised by a series of interconnected one and two storey brick homes set in landscaped grounds. The second area subject to this DA, in the east of the site, is a rectangular shaped area which is undeveloped and mostly cleared of vegetation.

The location of the buildings on site are identified in **Figure 2** above and a detailed description of each building and its history is included within the Heritage Impact Statement at **Appendix H**. Photographs of the site are presented in **Figures 3 to 7** below.



Figure 3 – Existing development and primary entrance as viewed from Judd Avenue



Figure 4 – Trigg house viewed from Judd Avenue



Figure 5 – Poate Home as viewed from Judd Avenue



Figure 6 – Lavender Unit viewed from Thomas Avenue



Figure 7 – Rear of Jones Hostel viewed from Katie Walsh Avenue

Topography and Vegetation

The site gently slopes from north west to south east, with a high point near the corner of Judd Avenue and Southwood Avenue at 14.20 AHD, to a low point in the south east corner around the detention basin at 4.01 AHD. Mature trees are interspersed throughout the site primarily along the road frontages, around the existing detention basins, in communal open space, and adjoining Lieutenant Cantello Reserve to the east of the site. A site survey accompanies this report at **Appendix B**.

An area along the eastern boundary of the site is mapped as being environmentally significant land as shown at **Figure 8**. This is described further in Section 4.12 below.

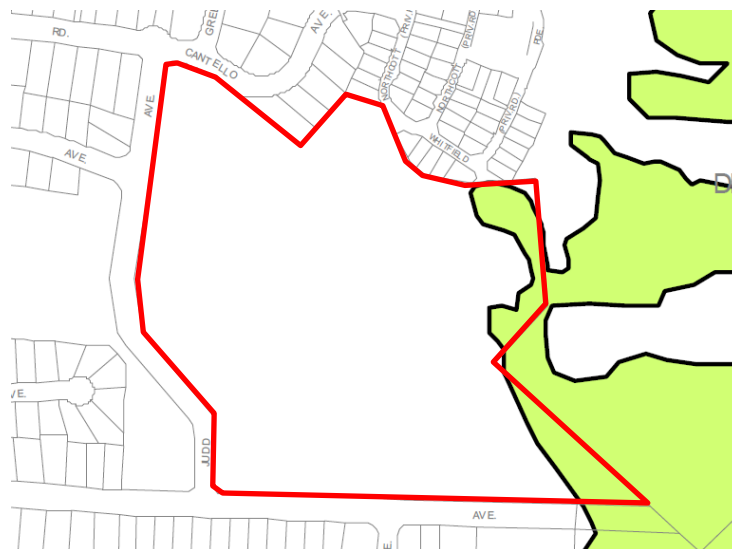


Figure 8 – Extract of environmentally significant land map
Source: LEP 2008

Heritage

The subject site is identified as a local heritage item (No. 29) under the *Liverpool Local Environment Plan 2008*. It is considered to be socially significant for its demonstration of the settlement of the Hammondville area in the post-World War 2 era and its association with numerous prominent members of the local community and with the broader social and

religious ideologies that underpinned the origins and development of Hammondville throughout the mid-20th century.

Bushfire

The subject site is partially identified as bushfire prone land under the Liverpool City Council bushfire prone land map. An extract of the map is provided at **Figure 9** below, illustrating how the eastern portion of the site is classified as a 'vegetation buffer' to the adjoining reserve to the east.

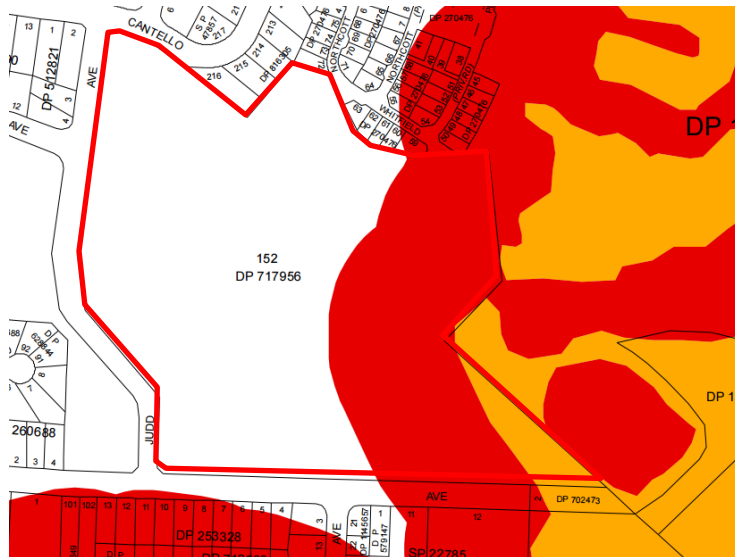


Figure 9 – Extract of Council's bushfire prone land map

Source: LEP 2008

Flooding

The site is located within the Georges River catchment. The development site is not affected by flooding under 1% Annual Exceedance Probability (AEP) event. However, the southeast corner of the development site is affected by the Probable Maximum Flood (PMF) event. The Probable Maximum Flood level at the site is 10.3m Australian Height Datum (AHD).

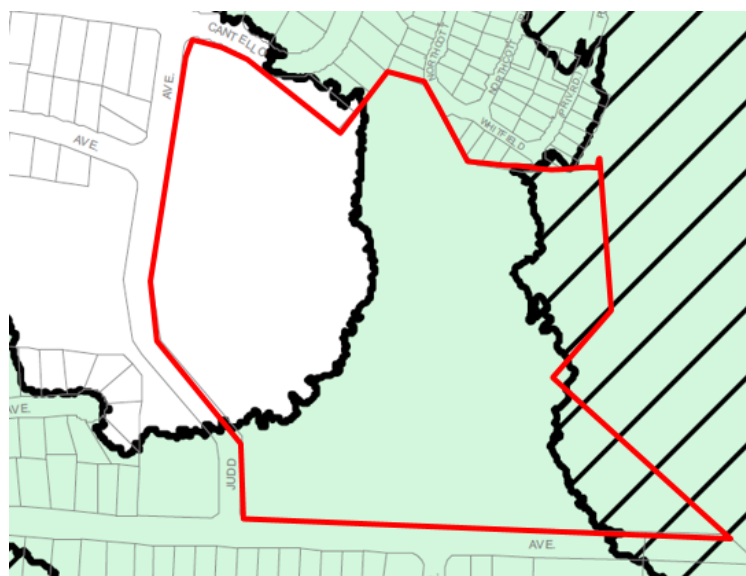


Figure 10 – Extract of flood map

Source: LEP 2008

Access and Parking

Vehicular access to the site is from Judd Avenue which intersects with the main service point of Thomas Avenue to the south of the Bond House complex. Katie Walsh Avenue runs along the eastern edge of Bond House and connects to Southwood Avenue at the north, forming a circuit that connects back to Judd Avenue. Thomas Avenue, Katie Walsh Avenue and Southwood Avenue are all internal private roads whilst Judd Avenue is a local unclassified road.

The site currently provides 53 car parking spaces along Katie Walsh Avenue and a number of unmarked spaces are located elsewhere around the site.

2.3 Surrounding Development

The subject site is located within the larger Hammondville Homes for Senior Citizens site and the suburb of Hammondville is a residential/aged care precinct with a low to medium density development profile.

The site is surrounded on all sides by aged care uses, being in the heart of the HammondCare village. Development outside of this immediate precinct is low-density, detached residential dwellings.

Adjoining the development site to the north is Southwood Avenue, with The Pines cottages on the northern side of this road (**Figure 11**). The Pines are for low-care dementia residents consisting of three single storey L-shaped cottages positioned around a central administration building. They provide for up to 40 residents.

To the east of the site is Katie Walsh Avenue, which is a single lane internal access road for development in the east of the site (**Figure 12**). To the north east is the Southwood high-care dementia home consisting of six single storey cottages housing up to 83 residents. To the south east is The Meadows low-care dementia home consisting of three single storey L-shaped cottages housing up to 40 residents.

Independent living units also border the site to the south east and east, ranging from single storey detached dwellings to single storey attached and semi-detached dwellings. Directly east of the site is also the Hammondville Village Centre building, providing essential services and amenities for the surrounding residents as well as office space for HammondCare.

Adjoining the development site to the south is Thomas Avenue, with independent living units on the southern side of this road. These are in the form of two to three storey apartment buildings with pitched roofs and are collectively known as Hammond Grove (**Figure 13**).



Figure 11 – The Pines Cottages



Figure 12 – Katie Walsh Avenue facing east



Figure 13 – Hammond Grove facing south east

3.0 Description of Proposed Development

This application seeks approval for the following development:

- partial demolition of Bond House and demolition of other existing aged care buildings on the site;
- site preparation works including excavation and tree removal;
- the staged construction of ten buildings providing 155 beds of low to high aged care and communal facilities;
- at-grade and basement car parking; and
- site landscaping and infrastructure upgrades.

The facility will replace the existing Bond House Complex which is a 124-bed facility.

Architectural drawings illustrating the proposed development are included at **Appendix A**. A photomontage of the proposed development is shown at **Figure 14** below.



Figure 14 – Photomontage of the proposed development

Source: Podgroup

3.1 Demolition

The proposal includes the demolition of all the existing buildings on site except for Bond House (Building 1). Bond House will be partially retained with only the side wings, rear additions and selected internal walls to be demolished. Details of how the building will be refurbished are provided at Section 3.3.1.

It is also proposed to demolish hardstand paving relating to pedestrian footpaths, the current alignment of Katie Walsh Avenue and an at-grade car park.

3.2 Site Preparation Works

The proposed development includes some cutting and levelling for the purpose of building construction and drainage. This is generally limited to the footprints of the proposed buildings and the new car park at the east of the site. An Earthworks Plan is included within the Civil and Stormwater Plans at **Appendix C**.

A total of 20 trees within the property will be removed to facilitate the redevelopment and 13 trees are proposed to be retained. Further details of the proposed tree removal are included at Section 4.11 below.

3.3 Residential Care Facility

In order to ensure the facility provides the highest level of care possible, HammondCare has worked closely with the project's architect Integrated Design Group who specialise in providing aged care facilities that are enabling and not institutional. The Design Statement at **Appendix A** explains how the development responds to the site and the design features that specifically cater to the needs of the future residents.

The development comprises a series of eight single storey 'cottage' buildings centred around a refurbished Bond House which will act as a Community Hub and office for the facility. A larger three storey building situated in the south eastern portion of the Bond House complex will cater to high care residents.

Overall the facility will provide 155 beds and approximately 9,604m² of GFA (a net increase of approximately 830m²). Each single storey cottage will have 10 beds and the remainder of residents will be housed within 9 cottages comprising the new 3 storey building. The separation of residents into small-scale, home-like cottages is a key design intention of the project.

3.3.1 Building 1

Bond House will be refurbished to form a central community hub for the residents of the surrounding cottages. The building incorporates:

- An existing chapel;
- breakout and seating area;
- Hairdresser;
- Multi-function room;
- Reception area;
- Admin work area; and
- Open plan office (on Level 1).

The rear of the building includes essential services, waste storage, plant, and storage. A loading dock and ambulance bay front Katie Walsh Avenue.

3.3.2 Buildings B2/B3, B5/B6, and B7/B8

Buildings B2/B3, B5/B6, and B7/B8 are the same development typology, being single storey cottages attached by an enclosed walkway between the two buildings, with a pitched roof form reaching 6.2m in height. These buildings will each provide ten single rooms with ensuites (a total of 60 rooms), and are each supported by a communal kitchen and dining space, lounge room, sitting area and secure back garden with a fenced front garden. These buildings will cater for lower care residents. An indicative graphic rendering of the proposed building is shown at **Figure 15**.



Figure 15 – Building 5/6
Source: IDG

3.3.3 Buildings B4 & B11

Buildings B4 and B11 are also the same development typology, being single cottages separated into two wings with communal facilities in the centre. The buildings will have a pitched roof form reaching 6.2m in height. These buildings will each provide ten single rooms with ensuites (20 rooms total), and are supported by an open plan sitting, dining and kitchen area, additional sitting rooms at the end of each wing, and a secure back garden with a fenced front garden. An indicative graphic rendering of the proposed building is shown at **Figure 16**.



Figure 16 – Building 11
Source: IDG

3.3.4 Buildings B10

Building B10 is three storeys in height reaching 13m to the top of the roof, and comprises of four wings radiating from a central space containing communal and administrative facilities. The building comprises of:

- a single floor of basement car parking accommodating 33 cars including two accessible spaces, and plant;
- the ground floor includes a lounge area and shop for visitors and residents, administration spaces including two meeting rooms, 1 cottage with a tv lounge, sitting and dining areas, utility spaces, and fifteen single rooms with ensuites;

- 2 cottages with the first floor including a tv lounge, sitting and dining areas, utility spaces, and eight single rooms with ensuites in the northern two wings, and seven single rooms with ensuites in the southern two wings (total 30 rooms);
- the second floor mirrors the first floor below also providing 30 rooms and associated facilities; and
- the building is provided with a ground floor fenced patio and outdoor area, and communal balconies on the floors above.

An indicative graphic rendering of the proposed building is shown at **Figure 17**.



Figure 17 – Building 10

Source: IDG

3.3.5 External Materials and Finishes

The proposed materials and finishes have been selected to respond to the residential character of the suburb. The single storey cottages achieve this through the use of face brick in complementary colours, weatherboard cladding, aluminium framed doors and windows and pitched roofs in corrugated metal (refer to **Figure 15** above). The section of Bond House to be retained will be restored and the existing exterior finishes made good.

A Schedule of Materials and Finishes is provided within the Architectural Plans at **Appendix A**.

3.4 Landscaping

Landscape Plans prepared by TaylorBrammer are included at **Appendix D** and an extract of the concept plan is included at **Figure 18**.

The proposed built form of the development comprises a series of cottages centred around the Village Green which provides a large open space for passive recreation, a children's playground and a feature tree (refer to **Figure 18**). The Village Green is accessible via a network of easy-access paths (which avoid steep gradients and are free from obstructions such as drainage inlets) leading to each cottage. An entry walk lined with deciduous feature trees connects Judd Avenue to the Village Green.

The landscape design incorporates water sensitive urban design treatments, including a Gross Pollutant Trap and a bio-retention basin to control the quality of water leaving the site. Stormwater will be harvested and reused for irrigation purposes as described in Section 3.7.



Figure 18 – Landscape Plan

Source: TaylorBrammer

3.4.1 Fencing

Those buildings housing high-care residents will be partially bordered by 1.8m security fencing, enclosing the communal outdoor area for residents. This ensures the residents remain safe and secure within the aged care facility. The remaining facilities fronting Judd Avenue are partially enclosed with a 0.9m garden fence for natural territorial enforcement where the development fronts the public domain.

3.5 Operational Details

The facility will be operated by HammondCare who are a registered charity with an excellent reputation in the aged care industry. A Plan of Management has been prepared which outlines the day-to-day operation of the facility (refer to **Appendix E**). It includes details in relation to capacity, daily activities, site access, waste management, deliveries, security, staff, and emergency procedures.

As a managed residential care facility, the development will operate 24 hours a day with the main shift times being:

- 06:00 – 14:00;
- 14:00 – 21:00; and
- 21:00 – 06:00.

There will be approximately 81 staff present on site at any one time, however at the crossover of shifts there may be up to 130 staff present for approximately 1 hour due to handover briefings. The facility will have the ability to accommodate up to 155 residents.

3.6 Access and Parking

3.6.1 Vehicle Access

The Thomas Avenue vehicular access will be retained and will lead to a 33 space basement car park at Building 10. Further east along Thomas Avenue will be the new at-grade car park. The circulating system of Katie Walsh Avenue will be realigned as part of the development and Southwood Avenue will continue to provide access for emergency vehicles from Judd Avenue.

3.6.2 Car Parking

The proposed development will be supported by the following on-site car parking:

- the existing at-grade car park on site (containing 42 parking space) will be demolished and replaced with a new hard-stand car park providing 90 car parking spaces including 4 disabled spaces. This car parking area will utilise presently undeveloped land in the east of the site identified in **Figure 2** above.
- a small at-grade car park providing for 11 vehicles will be retained along Katie Walsh Avenue; and
- a single level of basement car parking accommodating 33 cars including two accessible spaces under building B10.

3.7 Water Cycle Management

The stormwater management system for the proposed development has been designed by Demlakian and is detailed in the Civil and Stormwater Plans accompanying this report at **Appendix C**. To accommodate for the proposed development, the following stormwater system is proposed:

- a roof drainage system and in-ground piped network that will be sized to collect and convey the 10-year ARI flow rate;
- a surface drainage system which involves the flow of stormwater through a series of stormwater pits located within landscaped areas;
- the majority of the site will discharge into the existing dam to the east of the site and be reused for irrigation purposes;
- the dam has an existing overflow pipe which discharges into an existing rock filled stormwater trench that subsequently drains to the nearby creek; and
- a portion of the site at the south east will discharge into the existing kerb inlet pits.

On-site Detention is not required for the site as the amount of impervious area will be less than the existing development.

3.8 Infrastructure and Services

JHA has completed a Services Infrastructure Assessment of the site, which accompanies this report at **Appendix F**. The proposed development is capable of being accommodated on the site in accordance with existing infrastructure and services connections, subject to augmentation as per the recommendations contained in the report.

3.9 Construction Staging

The envisaged development works described above will be completed over four stages, to isolate the potential impacts of construction and to allow new accommodation and facilities to commence or continue operation on site while other works are being delivered. Specifically, the stages comprise of:

- Stage 1 – the construction of the new at-grade car park in the south east of the site;
- Stage 2 – the demolition of the northern portion of the existing buildings on site and the construction of buildings B2, B3, B4, B5, and B6 (50 beds);
- Stage 3 – the demolition of the southern portion of the existing buildings on site and the construction of building B10 (75 beds);
- Stage 4 – the demolition of the central portion of the building and the construction of building B7, B8 and B11 (30 beds), including works to the retained reception building and six at-grade car parking spaces fronting Thomas Avenue.

Figure 19 shows the proposed stages of the development and staging plans illustrating how the demolition and construction of each stage will be carried out are included at **Appendix A**.

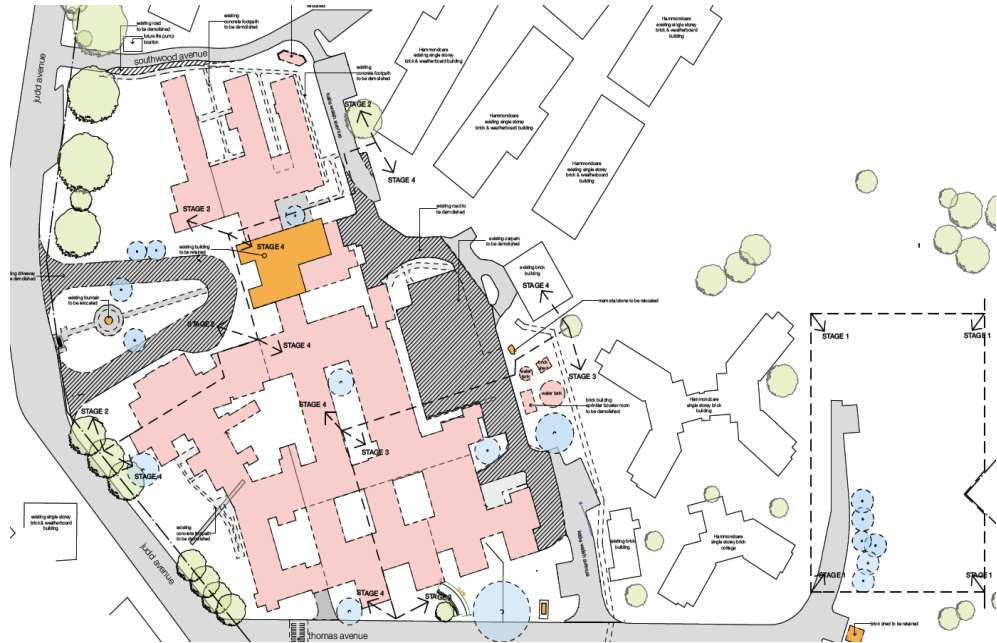


Figure 19 – Construction staging

Source: Integrated Design Group

With staged construction, multiple Construction and Occupation Certificates will be sought separately for each stage. To ensure that this is facilitated, and to avoid or minimise any applications to modify the development consent, it is requested that the development consent be structured in such a way to make it explicit as to which conditions apply to the development as a whole and which apply to each individual stage of the development.

In addition to the above, the following principles should be adopted in drafting conditions:

- obligations or requirements to be satisfied should relate to the 'relevant' Construction Certificate or Occupation Certificate of each stage; and
- each stage of the development should be capable of being developed independently of other stages.

These principles are not exhaustive and the applicant would welcome the opportunity to review draft conditions to avoid any unnecessary modification applications.

4.0 Assessment of Environmental Impacts

This section considers the planning issues relevant to the proposed development and contains our assessment of the environmental impacts of the proposal and identifies the steps to be taken to prevent or mitigate the potential impacts on the environment.

4.1 Existing Use Rights

This proposal seeks consent for the construction of an aged care facility through existing use rights. Section 106 of the EP&A Act defines existing use rights as follows:

- (a) the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for Division 4 of this Part, have the effect of prohibiting that use, and*
- (b) the use of a building, work or land:*
 - (i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*
 - (ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*

Accordingly, the following must be satisfied to establish existing use rights:

- (a) a development consent was granted prior to the commencement of the provision prohibiting the use:***
- (b) the development has been carried out, within one year after the date on which the provision prohibiting the use commenced:***
 - (i) in accordance with the terms of that consent; and***
 - (ii) to such an extent as to ensure (apart from that provision) that the development consent would not lapse.***

The site has a long history of seniors housing uses dating back to the early 1950's and the name of the suburb, Hammondville, is based on the Anglican clergymen and Robert Brodribb Stewart Hammond who was renowned for his pioneering work in the social and aged care sectors.

Table 1 provides a summary of key development consents which clearly demonstrate a continual use of the site for seniors housing since the original consent for the erection of a nursing home in 1953 (DA10/63). DA 166/81 also conclusively confirms that the historic land use is 'homes for the aged' and that the use commenced in the early 1950's (refer to **Figure 20**).

The aged care use was permissible at the time of each of the approvals and remained so up until the introduction of the *Liverpool Local Environmental Plan 2008* which prohibited the use in the R2 Low Density Residential zone. The aged care developments have been carried out in accordance with the respective consents and the approved use has continued uninterrupted at the site since this time.


In light of the above the use of the site for seniors living is protected by section 109B of the EP&A Act and has not been abandoned for the purposes of satisfying the criteria of existing use rights. A development application for the alteration, rebuilding, enlargement, expansion or intensification of the existing use can therefore be made in accordance with Section 108 of the Act and Clause 41(1) of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg). Section 108 of the Act states that the Regulations make provision for the carrying out of alterations, extensions or the rebuilding of a building or work being used for an existing use. Clause 41(1) of the regulations states that an existing use may be 'altered', 'extended' or 'rebuilt'.

Liverpool City Council
Box 84, P.O. Liverpool

No. : All questions to be completed.
PLEASE PRINT
(BLOCK LETTERS)

33 Moore Street,
LIVERPOOL. N.S.W. 2170

THIS FORM IS TO BE COMPLETED
IN TRIPLICATE.



ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (SECTION 77)(3))
DEVELOPMENT APPLICATION

<p>Applicant's name: <u>HAMMOND'S PIONEER HOMES</u></p> <p>Full postal address: <u>JUDD AVENUE</u></p> <p><u>HAMMONDVILLE</u> Postcode: <u>2170</u></p> <p>Telephone (business hours): <u>602-8422</u></p>	<p>File No: T.P. <u>461-6</u></p> <p>OFFICE USE ONLY D.A. Registered No. <u>166</u> Date received <u>23-3-81</u> Assessed fee <u>1052.50</u> Fee Receipt No. <u>7506</u></p>
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I, Bernard G. Judd
of HAMMOND'S PIONEER HOMES
hereby apply for development
consent to carry out the
development described below

<p>Description of the land to which the development application relates. Lot No. <u>2</u> of a re-subdivision of Lot No. <u>6</u> Sec: <u>D.F. 241494</u> House No. <u>32 Stewart Avenue, Hammondville</u> Street: <u>JUDD AVENUE</u> Locality/Suburb: <u>HAMMONDVILLE</u> Side of Street: <u>EAST</u> Dimensions: Area: <u>6.265 Ha</u></p>	<p>Note: A plan (in triplicate) of the subject land must accompany the application</p>
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<p>Description of development or other activity for which development consent is sought. <u>Extensions to existing Homes for Aged Persons to provide improved accommodation for existing number of residents.</u> Where development involves the erection of a building, the proposed use of that building when erected: <u>as above.</u></p>	<p>Note: Plans/drawings and other information (in triplicate) describing the development must accompany the application.</p>
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<p>(i) Date of Acquisition of Property by Owner: <u>1932</u></p> <p>(ii) Particulars of adjoining land in same ownership: Lot: Sec: D.P. House No. Street:</p>	
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<p>(a) Present Land Use: <u>Homes for the Aged</u></p> <p>(b) When did such use commence: <u>1952</u></p> <p>(c) Use of premises on 23rd June, 1972: <u>Homes for the Aged</u></p>	
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Figure 20 – Extract of consent 166/18
Source: Liverpool Council

Table 1 – Summary of key approval history

Consent Reference	Description of Land	Description of Work	Applicant	Date Approved
DA 10/63 D592	Portion 36, DP 18314, Stewart Ave, Hammondville	Erection of a nursing home	Hammond's Pioneer Homes	17 September 1953
CCC 4113	Portion 36, DP 18314 of which Lot 6 DP 241494 is a re-subdivision	Erection of a nursing home	Hammond's Pioneer Homes	17 September 1953
CCC 7713	Portion 36, DP 18314 of which Lot 6 DP 241494 is a re-subdivision	Erection on the land of a building containing 3 single person dwellings for old age pensioners	-	7 December 1954
CCC 9723	Portion 36, DP 18314 of which Lot 6 DP 241494 is a re-subdivision	The extension of the existing nursing home	-	22 March 1956
CCC 13271	Portion 36, DP 18314 of which Lot 6 DP 241494 is a re-subdivision	Erection of a new wing to the Matron Shaw Nursing Home	-	8 May 1959
600/61	Portions 47, 36 and 50 of which Lot 6 DP 241494 is a re-subdivision	Erection of additions to nursing home	-	30 November 1961
258/63	Portions 47, 36 and 50 of which Lot 6 DP 241494 is a re-subdivision	Additions to existing nursing home	-	27 August 1963
1463/70	Portions 47 and 36 of which Lot 6 DP 241494 is a re-subdivision	Erection of a nursing home for the aged	-	14 December 1970
450/74	Lot 6 DP241494	Alterations and additions to internal walls for office within existing Judd Home	-	25 July 1974
862/80	Lot 6 DP241494	Erection of addition to existing bathroom area of nursing home	-	22 August 1980
166/81	Lot 2 of re-subdivision 6, DP 241494 Judd Ave, Hammondville	Extension to nursing home	Hammond's Pioneer Homes	23 March 1981
7/93	CNR Lot 152 DP717956	Erection of 40 bed residential dementia care hostel	-	23 April 1993
282/97	CNR Lot 152 DP717956	Demolition of 6 buildings and erection of aged care residences and administration cottage	The Hammond Care Group	25 November 1996
229/2006	CNR Lot 152 DP717956	84 bed residential aged care facility	The Hammond Care Group	3 March 2006
623/2007	CNR Lot 152 DP717956	Minor addition to Bond Building	The Hammond Care Group	6 February 2007

4.2 Compliance with Relevant Strategic and Statutory Plans and Policies

The application seeks to rebuild the existing use and, as acknowledged by Council at the pre-DA meeting on 14 August 2014, the proposal is to be assessed against the Land and Environment Court planning principles relating to existing use rights as formed in *Fodor Investments v Hornsby Shire Council (2005)*. These principles are as follows:

1. How do the bulk and scale (as expressed by the height, floor space ratio and setbacks) of the proposal relate to what is permissible on surrounding sites?

Refer to Section 4.4.

2. What is the relevance of the building in which the existing use takes place?

Refer to Section 4.1 above.

3. What are the impacts on adjoining land?

Refer to Section 4.6.

4. What is the internal amenity?

Refer to Section 4.7.

While the above planning principles are the foundation for assessing the development's acceptability, consideration should still be given to S.79C of the EP&A Act and the relevant LEP and DCP development standards and controls to the extent that they do not derogate from existing use rights. These local provisions do not strictly apply for the assessment of the proposal, but should rather be used as a guide to inform a merit based assessment. Accordingly, the following sections provide an assessment of the proposal against the relevant Land and Environment Court principles using the relevant planning controls as a reference point for understanding what is an appropriate design and development outcome for the site.

4.3 State and Local Legislation

The DA's consistency and compliance with the relevant statutory plans and policies is located in **Table 2** below.

Table 2 – Summary of consistency with key statutory plans and policies

Plan	Comments
State Planning Instruments	
SEPP (State and Regional Development)	As the proposal is a class of development described in Schedule 4A of the EP&A Act, being a development that has a capital investment value of more than \$20 million (see Quantity Surveyors Report accompanying this application), Part 4 of the State and Regional Development SEPP applies to the DA. Under Part 4 of the SEPP the Council's consent function is exercised by the Sydney West Planning Panel.
SEPP 55 – Remediation of Land	Clause 7 specifies that a consent authority must not consent to the carrying out of any development on land unless it has considered whether land is contaminated and if the land is contaminated, it is satisfied that the land is/can be suitable for the proposed development. The original and current use of the site has been for seniors living that has existed since the early 1950's. Prior to this the land use was for social housing and undeveloped land. The surrounding area is characterised by residential development. In light of there being no likely sources of contaminants on the site or in the immediate locality, the site is considered suitable for the proposed use and no further assessment is considered necessary under SEPP 55.
SEPP (Housing for Seniors and People with a Disability)	The Seniors SEPP does not apply to the site as it is land described in Schedule 1 (environmentally sensitive land) of the SEPP. Nevertheless, the application is consistent with the overall objectives and design principles contained within the SEPP. Refer to Section 4.3.1.
Integrated Development	This DA is integrated development under Section 91 of the EP&A Act 1979. This application requires approval under Section 100B of the Rural Fires Act 1997. Accordingly, the application will be forwarded to the Rural Fire Services NSW for approval. A Bushfire Risk Assessment is included at Appendix X and discussed further in Section 4.9.
Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment	The REP aims to maintain and improve the water quality and river flows of the Georges River and its catchment. Section 4.10 below and the Stormwater Report at Appendix C demonstrate that the development will have no downstream impacts.
Local Planning Instruments and Controls	
Liverpool Local Environmental Plan 2008	Land Use Zone The proposed seniors living use is prohibited in the R2 Low Density Residential zone. Nevertheless the proposed use is protected by section 109B of the

Plan	Comments
	EP&A Act as existing use rights apply. Refer to Section 4.1 above.
Clause 4.3 – Height of Buildings	The site has a maximum height limit of 8.5m under the LEP. The proposal largely complies with this height limit with the exception of Building 10 which has a maximum height of 13m. As the proposal is based on existing use rights, Clause 4.3 (and Clause 4.6 - Exceptions to Development Standards) of the LEP do not technically apply. Instead, a merit assessment of the proposed height is included at Section 4.4 below.
Clause 4.4 – Floor Space Ratio	The site is subject to a maximum Floor Space Ratio of 0.5:1. The total site area is 92,787m ² and the development will result in a total GFA of 31,543m ² , including the existing development on other parts of the lot and the net difference between the demolished and proposed new buildings. This equates to a total site FSR of 0.34:1.
Clause 5.9 – Preservation of Trees	A total of 18 trees within the property will be removed to facilitate the redevelopment and 15 trees are proposed to be retained. Further details of the proposed tree removal are included at Section 4.11 below.
Clause 5.10 – Heritage Conservation	The site is listed as an item of local heritage significance and an assessment of the proposal's heritage impact is included at Section 4.5 below.
Clause 7.6 – Environmentally significant land	A minor portion of the proposed car park is situated within land mapped as being environmentally significant land. This is addressed at Section 4.12 below.
Clause 7.7 – Acid Sulphate Soils	The site is identified as having Class 5 Acid Sulphate Soils and excavation is proposed within 500m of adjoining sites which are affected by Class 4 Acid Sulphate Soils. Nevertheless, the proposed excavation works will not be below 5m AHD and are not likely to lower the water table by 1m AHD. As such, no acid sulphate management plan is required for the proposal.
Clause 7.8 – Flood planning	Part of the lot is identified as being affected by the Probable Maximum Flood (PMF) event. This is addressed at Section 4.10 below.
Clause 7.8A – Floodplain Risk Management	
Liverpool Development Control Plan 2008	The DCP does not contain any specific controls for the site or the proposed seniors living use. Nevertheless, the development has been designed to respond to the residential character of the surrounding suburb and to enable best-practice care to be provided to future residents. The general development controls of Part 1 have been considered and addressed in the following sections and relevant appendices.

4.3.1 Seniors Housing SEPP

The Seniors Housing SEPP aims to encourage the provision of seniors housing, including aged care facilities. As noted above, the SEPP does not technically apply to the development, however has been considered in the context of undertaking a merit assessment of the proposal. The proposal is consistent with the objectives of the SEPP in that the proposed development:

- increases the supply and diversity of seniors housing within the local area by providing new 'cottage' style accommodation as well as traditional seniors accommodation at the site;
- makes efficient use of existing infrastructure and services located on the site and in the local area; and
- is of an innovative and high quality design.

Table 3 includes consideration and assessment of the relevant requirements of the Seniors Living SEPP.

Table 3 – Design Controls and Development Standards of the Seniors Housing SEPP

Provision	Response
Clause 33 – Neighbourhood Amenity and Streetscape	
(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	The design, character, landscaping, and materials selected have been carefully considered by the project architects, Integrated Design Group. The proposal is generally consistent with the local planning controls relating to the building form and character, and will make a positive contribution to the streetscape and quality of the local area.
(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,	Refer to Section 4.5 below, and the Heritage Impact Statement at Appendix H .
(c) maintain reasonable neighbourhood amenity and appropriate residential character by: <ul style="list-style-type: none"> (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 adjacent development, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and 	Refer to Section 4.4 below and the Architectural Design Statement at Appendix A .
(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	The development is consistent with the setbacks in the local area.
e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and	A comprehensive landscape and planting strategy have been proposed by TaylorBrammer (see Appendix D). This scheme has sought to retain existing significant trees (where possible) and provide landscaping that is compatible with the urban character of the locality and which provides residents with passive recreation areas.
(f) retain, wherever reasonable, major existing trees, and	
(g) be designed so that no building is constructed 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,	The design of the proposal, including the location of windows and balconies, has been designed to ensure visual privacy is achieved between buildings.
(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	The buildings have been designed to ensure a high level of resident amenity. Refer to Section 4.7.
Clause 35 – Solar Access and Design for Climate	
(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and	The proposed development does not give rise to any unacceptable overshadowing impacts on the living areas or private open space of surrounding areas. Overshadowing is discussed in further detail at Section 4.6.
(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	The proposal has been designed with environmental principles as a key objective in reducing environmental impacts and improving ongoing efficiency.

Provision	Response
Clause 36 – Stormwater	
(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 Concept Design has been prepared by Demlakian and is provided at Appendix D .
(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.	
Clause 37 – Crime Prevention	
(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and	The principle of crime prevention have been considered in the layout, design and landscaping of the proposal. Refer to Section 4.13.
(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and	
(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	
Clause 38 – Accessibility	
The proposed development should:	
(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and	The proposal has been design to have clearly marked pedestrian and vehicle entry points from Judd avenue and parking. A bus stop is located immediately outside of the site on Judd Avenue which provides transport to local shops and Liverpool Centre. Refer to Section 4.8 below for further detail.
(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	
Clause 39 – Waste Management	
The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities	An Operational Waste Management Plan has been prepared by The Mack Group (Appendix G) which details the storage and waste handling procedures for the facility.
Clause 40 – Development Standards	
Site Size – Minimum 1,000sqm	The proposal complies with this provision with a site area of 92,787m ² .
Site Frontage – Minimum 20m	The site has a large street frontage well in excess of 20m.
Height zones where residential flat building are not permitted	The maximum height of Building 10 is 13m. This is addressed in Section 4.4 below.
a) the height of all buildings in the proposed development must be 8 metres [as defined within the <i>Seniors Housing SEPP</i>] or less, and	
b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and	
c) a building located in the rear 25% area of the site must not exceed 1 storey in height.	

4.4 Built Form

Planning Principle 1: How do the bulk and scale (as expressed by the height, floor space ratio and setbacks) of the proposal relate to what is permissible on surrounding sites?

The built form of the site has been designed to complement the existing low density residential character of the surrounding area and the continuation of the existing aged care facility and

Hammondville philosophy. A key design principle for the development is to provide a non-institutionalised facility that is enabling and domestic in character.

This philosophy is reflected by the single storey 'cottage' style buildings that are situated around the Bond House chapel in a generous landscaped setting. The cottage buildings are typically 6.2m in height and the retained bond house has a maximum height of 8.23m. This complies with the LEP maximum height control of 8.5m for the area. The development as a whole will result in a total site FSR of approximately 0.34:1 and is, therefore, also well within the maximum FSR control for the site of 0.5:1.

A minimum landscaped setback of 4.5m has been applied to the primary street frontage of Judd Avenue which is consistent with the built form of the wider area. The height, massing, setbacks and siting of the cottages creates a sense of 'home' and provides continuity to the fine grain residential streetscape along Judd Avenue. A photomontage of the proposed development as viewed from the public domain of Judd Avenue is shown at **Figure 21**.



Figure 21 – Proposed development viewed from Judd Avenue
Source: Podgroup

Building 10 is a larger three storey building that is situated in the south eastern portion of the site and will cater to high care needs residents. It will replace an existing 2 storey building with a pitched roof (refer to **Figure 22**) and is required in order to achieve a critical mass of patients to support the associated level of care and resident support facilities on the site. The building will provide for the orderly and economic provision of the HammondCare service in a financially sustainable and affordable manner.

The roof ridge of Building 10 is 13m which is taller than the LEP height limit of 8.5m for the surrounding area. Nevertheless, the building has been positioned and designed to nestle comfortably within the suburban streetscape. The proposed height is considered acceptable because:

- it is situated at the lowest point of the site and therefore it does not present as a dominant feature of the streetscape, particularly when viewed from Judd Avenue;
- it will not result in an overdevelopment of the site, with the total GFA remaining substantially less than the maximum permitted;
- it facilitates a continuation of the suburban landscape setting by reserving land for open space that would otherwise need to be developed for a lower density facility in order to maintain the required resident numbers;
- adequate separation is provided to existing and future buildings at the site;

- there is an appropriate transition in height to the adjacent 2 storey buildings across Thomas Avenue;
- the building is situated within the centre of the Hammond Care site and will not result in any unacceptable impacts, including privacy or overshadowing, to adjoining properties or buildings (refer to Section 4.6 below);
- it will not result in the loss of any significant views or the interruption of vistas;
- it will allow for the continuation of the site's social heritage by facilitating a range of affordable accommodation options in accordance with the HammondCare philosophy.

In the context of providing a new workable aged care facility, and in the absence of any unacceptable environmental impacts, the proposed height of Building 10 is supported.



Figure 22 – Existing two storey development (Lavender Unit) facing west



Figure 23 – Building 10 viewed from Judd Avenue
Source: Podgroup

4.5 Heritage

Weir Phillips Heritage has prepared a Statement of Heritage Impact (**Appendix H**) for the proposed redevelopment of the site. The report provides a merit assessment against the key criteria of the *Assessing Heritage Significance, NSW Heritage Manual* and the OEH publication *Statements of Heritage Impact (2002)*.

The buildings comprising the Bond House complex were erected between the early 1950s and the 1970s and are considered simple in architectural form and detailing. The construction techniques used were common in domestic architecture during this period and they are not landmark buildings. As such it is considered that the site has minimal architectural heritage.

The significant heritage value of the site is, instead, contributed to its social significance of continually providing social and aged care housing to the community. It also has significance due to its association with prominent community members, including Rev. Bernard Judd.

Accordingly, the proposed redevelopment is appropriate in the context of the site's rich social heritage and the lack of any significant architectural value. The redevelopment is supported because:

- it will provide for continuity in use by the same organisation and for the same purpose which will enhance its social significance;
- the social significance is not reliant on fabric but has been established by the philosophy of care provided by Hammondville which will be continued;
- it will facilitate the evolution of the site over time to continue to provide the care that the social significance is based upon;
- it is unrealistic to update the existing buildings on the site due to substantial changes required to meet current code and care requirements;
- the main entrance of Bond House and the Chapel will be retained which is representative of the architectural form and style of the buildings to be demolished;
- the refurbished Bond House will serve as a physical reminder of the evolution of care on the site and provide continuity between the earlier and current phases; and
- the works will have no impact on surrounding heritage items, including St. Anne's Church.

Weir Phillips have also prepared a Conservation Management Strategy (**Appendix I**) which recommends a number of conservation policies to coincide with the redevelopment of the site. These policies have been integrated into the design of the new facility and a comprehensive interpretation strategy and archiving recording will be implemented as part of the project.

The site has continually evolved to meet the changing needs of the aged care sector. This redevelopment represents the next phase of the site's evolution and is needed to ensure the continued delivery of best-practice aged care facilities to the community. As such, Weir and Phillips conclude that the proposal will have an acceptable heritage impact because it enhances the social significance of the site.

4.6 Impact on Adjoining Properties

Planning Principle 3: What are the impacts on adjoining land?

The proposal will have minimal impact on adjoining land as described in the subsequent sections.

4.6.1 Overshadowing

Shadow diagrams illustrating the shadows cast from the proposed development at 9am, 12pm and 3pm on 21 June (Winter Solstice) have been prepared by Integrated Design Group and are located at **Appendix A**. An extract of these is included at **Figure 24** below.

The shadow diagrams show that there will be no impact to surrounding properties as a result of the development as the shadow will fall completely within the site and existing roads. The proposed siting and orientation of the buildings also ensures that a good level of solar access is achieved for each of the new buildings. Solar access to the landscaped open spaces is also maximised and the primary area of open space (the Village Green) at the centre of the site receives sunlight throughout the day.

Building 10 will have a relatively minor impact on the Hammond Grove development to the south, however the impact is isolated to small portions of the development at any given time. For example, at 9:00am part of the building located at the corner of Judd Avenue and Thomas Avenue will be overshadowed, however by afternoon it will enjoy full sunlight. Similarly, buildings further east will experience some overshadowing in the afternoon but will benefit from full sunlight in the morning period.

Therefore, on balance, the proposal is considered to have an acceptable impact on the solar access of both existing and proposed buildings.



Figure 24 – Extract of shadow diagrams

Source: IDG

4.6.2 Privacy

The development is not located within proximity to residential uses and will therefore not result in any adverse privacy impacts. The rooms of the proposed new buildings have been orientated to take advantage of views to landscaping and are adequately separated to ensure privacy is achieved between rooms.

4.7 Occupant Amenity

Planning Principle 4: What is the internal amenity?

The redevelopment of the site will ensure residents are afforded a high level of internal amenity. The development will replace an outdated facility and provide future residents with a new facility capable of delivering best-practice care.

Over the past twenty years of designing purpose-built care homes for people living with dementia, HammondCare has developed a core set of nine design principles that inform the design of all its building projects. These principles were developed on the understanding that a poorly designed building reinforces a person's difficulties and increases their dependence.

The Architectural Design Statement at **Appendix A** outlines the key design features and how they have been specifically integrated into the proposal to ensure that not only a high level of internal amenity is achieved but that the design also provides the optimum environment to care for the future resident's specific health needs.

Specific features to enhance the internal amenity of the facility include the:

- creation of a sense of 'home' through the development of familiar cottage-style buildings that reflect the surrounding streetscape;
- inclusion of Building 10 which provides for high care needing residents and is situated to fit comfortably within the site and the surrounding suburban environment;
- provision of a variety of living and recreation spaces to enable choice and engagement for residents; and
- delivery of a non-institutional facility that provides the level of care and safety required.

4.8 Transport and Accessibility

A Traffic and Parking Impact Assessment by McLaren Traffic Engineering and is included at **Appendix J**. The key findings of the report are summarised below.

4.8.1 Traffic Generation

The traffic generation impact of the proposed development has been assessed having regard to the RMS Guide to Traffic Generation Developments. Consideration has also been given to the number of staff and residents of the existing seniors living development at the site.

The proposed development is forecast to generate 23 additional traffic movements in both the AM and PM peak periods. However, staff vehicle movements will generally occur outside peak commuter periods (between 5:30AM – 6:30AM and 1:30PM – 2:30pm). As such, the traffic assessment concludes that the proposed redevelopment will not adversely affect the operation of nearby intersections or the surrounding road network.

4.8.2 Car Parking

An assessment of the proposed parking has been made against the requirements of the DCP 2008 for transitional & permanent homes (as advised by Council at the pre-DA meeting) and the Seniors Housing SEPP. Both controls provide a minimum rate of car parking and a summary of the rates applicable for the proposed development is included at **Table 4**.

Table 4 – Summary of parking requirements

Type	Scale	DCP Requirement	SEPP Requirement	Spaces Provided
Residents	155 beds	38.75	10.33	134
Staff	69	69	34.5	
Ambulance Bay	-	-	1	2
Total	-	108	45 + 1 ambulance	134 + 2 ambulance

As demonstrated at **Table 4** the proposed parking exceeds the minimum rates required under both the DCP and SEPP. The number of parking spaces provided is to cater for the staff changeover times which results in an increased demand for parking spaces at these times.

The DCP requires the provision of 4 disabled parking spaces (at a rate of 3 per 100 spaces) and the proposal includes a total of 6 disabled spaces, with 2 located within the basement car park and 4 within the at-grade car park.

4.8.3 Access

The car parking areas and internal access roads have been designed in accordance with the relevant Australian Standards. Swept path analysis demonstrating efficient internal circulation within the basement car park and around the at-grade car park is provided within the traffic report.

4.9 Bushfire

The eastern portion of the site is mapped as bushfire prone land (refer to Section 2.2 above) and as such Travers Bushfire & Ecology were engaged to prepare a Bushfire Protection Assessment for the proposed development. A copy of the report is included at **Appendix J**.

The assessment found that whilst part of the site is identified as bushfire prone that the proposed aged care facility is confined to the western portion of the site and typically replaces existing structures. Accordingly, the nearest bushfire prone vegetation is located over 140m from the development. Therefore, the proposal is considered not to warrant any specific construction requirements in accordance with AS3959 – Construction of buildings in bushfire prone areas. Nevertheless, the following two measures are recommended to mitigate any possible risk to residents:

- ongoing maintenance of vegetation and implementation of landscaping guidelines to the standards required for an Asset Protection Zone; and
- adequate water supply (hydrants), gas, and electricity in compliance with the Rural Fire Services' *Planning for Bushfire Protection*.

These measures have been integrated into the design of the proposal and can be enforced by a condition of consent. The development is also classified as Integrated Development under Section 91 of the *EP&A Act* and will consequently require a Bushfire Safety Authority (BSA). As such, the DA should be referred to RFS as part of the assessment process.

4.10 Flooding & Water Cycle Management

The Stormwater Performance Management Report prepared by Demlakian Consulting Engineers (**Appendix C**) determines that the proposed development will not increase flood risk around the site and that the difference between the pre-development and post-development regional flooding regime is negligible, without incorporating detention in the development.

All habitable floor levels are at 10.3m AHD or above which is at or higher than the Probable Maximum Flood (10.3m AHD). The structures below the habitable floor levels comprise of flood compatible materials to mitigate the risk of flooding from the Georges River catchment. The basement carpark entry is RL 9.3m AHD and the basement floor level is 6.7m AHD which are both well above the 100 year ARI flood level of 5.3m AHD. The basement will also be constructed of flood compatible materials.

4.10.1 Water Quantity

DRAINS modelling was undertaken to demonstrate that the roof drainage system and in-ground piped network has been sized to collect and convey the 10-year ARI flow rate from each respective building. Based on the modelling Demlakian Consulting Engineers consider that

the proposed road network and drainage system can adequately manage the minor system flows in accordance with the DCP.

4.10.2 Water Quality

MUSIC modelling has been undertaken to assess the quality of water that will be discharged from the developed site. A Gross Pollutant Trap, bio-retention basin along the edge of the car park and the existing dam will reduce pollutants to meet or exceed the stormwater quality targets of the DCP. A summary of the results is provided at **Table 5**.

Table 5 – Reduction in average pollutants

Pollutant	Target (%)	Proposed (%)
Suspended solids	80	82.6
Phosphorus	60	60
Nitrogen	45	46.2
Gross Pollutants	90	100

4.11 Tree Removal

An Arboricultural Impact Assessment has been prepared by Redgum Horticultural (refer to **Appendix L**) to assess the impact of the proposed development on existing trees. There are currently 32 trees on or immediately adjacent the site that have been considered and the species and location of each of these trees is identified within the assessment report.

To accommodate the proposed development, it is proposed to remove 18 of the existing trees where the building footprints and associated infrastructure would potentially impact on their health. The removed trees will be replaced with super advanced specimens to mitigate the impact of their removal and to ensure an adequate canopy is maintained.

The remainder of the trees are to be retained and protected during the construction process. The retention of these trees will contribute to the landscape elements of the site by allowing components of the current curtilage to be transferred to the new proposal and thereby maintaining elements of a continuous landscape throughout the redevelopment process. Recommendations to ensure the long-term protection of these trees are included within the Arboricultural Impact Assessment report.

Overall, the proposed development will result in a net gain of 51 trees as a result of the 69 trees proposed as part of the site landscaping works. Accordingly, the removal of trees is considered appropriate given their proposed replacement with advanced specimens and in context of the broader community benefits delivered by the site's redevelopment.

4.12 Environmentally Sensitive Land

Clause 7.6 of the LEP requires the consent authority to consider whether development will impact environmentally sensitive land, including its potential impact on significant vegetation or nearby waterbodies. A very minor portion of the proposed car park is situated within land mapped as being 'environmentally sensitive' (refer to **Figure 25**), however the development will not adversely affect any environmentally sensitive land features. An assessment against the provisions of Clause 7.6 is provided at **Table 6**.



Figure 25 – Environmentally sensitive land

Source: IDG

Table 6 – Assessment of Environmentally Sensitive Land

Control	Assessment
(a) the condition and significance of the vegetation on the land and whether it should be substantially retained in that location	N/A – there is no existing vegetation on the affected land that is required to be removed
(b) the importance of the vegetation in that particular location to native fauna	
(c) the sensitivity of the land and the effect of clearing vegetation	
(d) the relative stability of the bed and banks of any waterbody that may be affected by the development, whether on the site, upstream or downstream	As demonstrated by the Stormwater Report at Appendix C , the development will improve the quality of water leaving the site and will not impact the flood levels of neighbouring land.
(e) the effect of the development on water quality, stream flow and the functions of aquatic ecosystems (such as habitat and connectivity)	The development will not affect the level of public access to any waterbody or foreshore.
(f) the effect of the development on public access to, and use of, any waterbody and its foreshores	

4.13 Crime and Public Safety

The proposed design of the redevelopment promotes a safe and accessible seniors living development. It provides:

- a building layout and configuration that facilitates passive surveillance around the site;
- pedestrian routes and spaces within the development that are clearly defined, free from obstructions such as drainage inlets and have clear and direct sightlines for users;
- internal roads activated with pedestrian and vehicle movement;
- appropriate lighting throughout the site to ensure the safety of external areas;
- clear boundaries between public and private spaces in the form of landscaping and fencing;
- territorial reinforcement via secure access swipe cards, thereby restricting the possibility of non-residents accessing closed areas of the facility without permission;
- staff overseeing the safety and security of the facility 24 hours a day; and
- a layout that supports compliance with Crime Prevention Through Environmental Design (CPTED) principles for all elements of the proposal.

4.14 Construction Impacts

A comprehensive Construction and Waste Management Plan will be prepared prior to the issue of a construction certificate. This plan will set out the environmental management requirements for the following aspects of the project:

- access, egress and compound management;
- dust management;
- emergency response;
- excavation works;
- sewer and water management;
- noise management;
- occupational health and safety;
- soil management;
- traffic management; and
- waste management.

Erosion and Sediment Control

An Erosion and Sediment Control Plan is included within the Civil and Stormwater Plans at **Appendix C** and will be further developed and implemented as the project progresses to provide site controls during the demolition, excavation and construction of each development stage.

Construction works will be undertaken in a manner so as to avoid erosion and sedimentation of surrounding land or waterways. This will be achieved through the implementation of sediment control devices including; sediment fencing, shaker grids and sediment holding tanks.

4.15 Waste Management

A Waste Management Plan has been prepared by The Mack Group and is included at **Appendix G** and further details of how this will be implemented are included within the Plan of Management at **Appendix E**.

A waste room is located near the loading dock at the back of Bond House and Building 10. Staff will be responsible for collecting general waste, recycling, medical waste, and kitchen waste and transporting it to the holding rooms. A private waste collector will then collect the various elements of waste from these holding rooms via Thomas Avenue and Katie Walsh Avenue. The private waste collector will be required to comply with all relevant legislative requirements.

Swept Paths included within the Traffic and Parking Report (**Appendix J**) demonstrate that the private internal road network is capable of accommodating a garbage truck.

4.16 Building Code Compliance

A BCA Capability and Access Statement prepared by Blackett Maquire + Goldsmith is provided at **Appendix M**. The statement confirms that the proposed development is capable of achieving compliance with the requirements of the Building Code of Australia and other relevant codes and standards.

4.17 Ecological Sustainable Development

The principles of ESD have informed the design of the proposed development. Importantly, the design meets ESD principles meeting the needs of the current generation without compromising the ability of future generations to meet their own needs.

Donnelley Simpson Cleary (DSC) Consulting Engineers were engaged to assess the proposal against the energy efficiency requirements of Section J of the BCA. A statement from DSC confirming that the development is capable of complying with Section J is included at **Appendix N**.

4.18 Social and Economic Impacts

The proposed development will have a substantial social benefit to the local community through the provision of a new seniors living facility, owned and operated by a leading aged care provider. The redevelopment will allow HammondCare to continue to fulfil their mission: "to nurture dignity, and improve the quality of life for older people and people with dementia, especially those least able to provide for themselves".

The development will also enable HammondCare to continue its long term association with providing high quality care on the site which reinforces the site's social heritage significance.

A Plan of Management is provided at **Appendix E** which outlines how the facility will operate to mitigate any potential social impacts and provide the best level of care for residents. The redevelopment will also occur in stages to avoid the displacement of existing residents during the construction period.

The redevelopment will create additional ongoing employment opportunities for health professionals and other services in the local area, and a number of in-direct construction jobs over the course of the construction program.

As such, there will be no adverse social or economic impacts as a result of the development, noting that it will be a managed facility operated by a leading aged care provider.

4.19 Site Suitability and Public Interest

Having regard to the characteristics of the site and its location, the proposed development is considered to be appropriate in that:

- the site has a long history of providing aged care services;
- the scale, height and form of the proposed development is generally consistent with the development controls of the surrounding area and is comparable to the existing development;
- the size and dimensions of the land are suitable for the scale of the proposed development;
- any potential flooding or bushfire risks can be adequately mitigated through the design of the facility;
- the local road network has been assessed to be able to accommodate the traffic volumes generated by the proposal and the site has sufficient parking;
- the site's social heritage will be retained and built upon through the redevelopment; and
- the proposed development will not result in any unacceptable or material environmental impacts in relation to adjoining and surrounding properties, particularly in terms of overshadowing and privacy.

For the reasons set out above, the site is suitable for the proposal and it is in the public interest to redevelop the dated aged care facility to ensure the highest level of care and amenity can continue to be provided to the residents.

5.0 Conclusion

The proposal seeks to redevelop the existing residential care facility comprising the Bond House Complex into a new residential care facility containing 155 beds. The development includes a series of 'cottage' buildings and a 3 storey building centred around a new village green. A new car park is also proposed to service the development.

The design team have developed a scheme that responds to the opportunities and constraints of the subject site, and the unique requirements of aged care facilities. The design of the proposal has been well conceived and will ensure the buildings provide high quality accommodation, facilities and care for future residents. The proposed buildings and landscaping is sympathetic with the surrounding area and will maintain a high level of amenity for residents of adjoining facilities.

The site has continually evolved over time to meet the changing needs of the aged care sector. This redevelopment represents the next phase of the site's evolution and is needed to ensure that HammondCare can continue to deliver best-practise aged care services to the community. The site's rich social heritage will therefore be protected and built upon through the redevelopment and the refurbishment of Bond House will allow for the architectural form and style of the buildings to be interpreted.

Given the planning merits described above, and in light of no adverse environment, social or economic impacts, we have no hesitation in recommending that the Development Application be approved.