



THE PLANNINGHUB

by Hawes & Swans

ADDENDUM STATEMENT OF ENVIRONMENTAL EFFECTS

**Construction of Seniors Housing Development
at Windward Way, Milton**

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- E** Amended Roundabout and Access Concept Design Plans
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1.0 Introduction

This Addendum Statement of Environmental Effects (SEE) accompanies an amended design and supporting documentation to a DA previously submitted by Annsca Property Group P/L to Shoalhaven City Council. That DA (RA17/1001) proposes the construction of a seniors housing development at Windward Way, Milton.

The development will feature a mix of seniors housing typologies, a clubhouse, communal open space, a gym, all weather access swimming pool and a variety of spaces that can be used for recreational meetings/social get together by the residents and their families.

The development is proposed to be staged, consisting of the following three stages:

- Stage 1 – To comprise of the construction of the roundabout and access from Princes Highway, Residential Care Facility, Clubhouse with ancillary services/facilities and 64 of the independent living units in the duplex and triplex dwellings and associated works.
- Stage 2 – To comprise of the construction of 63 of the independent living units in the duplex and triplex dwellings and associated works.
- Stage 3 – To comprise of the construction of 7 residential flat buildings, on-site detention pond on the northern boundary and associated works.

Specifically, development consent is now sought for the following works:

- Demolition of existing dwelling, pig pen and silo;
- Construction of roundabout, access from the Princes Highway and internal accessway;
- Construction of a single storey residential care facility which will accommodate 89 beds across a Gross Floor Area of 4,330m².
- Construction of 127 independent living units in the form of duplex and triplex dwellings that range from 1, 2 and 3 bedroom dwellings. All dwellings contain either a single or double garage.
- Construction of 7 three storey residential flat building development which proposes 133 independent living units. Units comprise of 1, 2 and 3 bedroom units and have access to basement car parking.
- Construction of a clubhouse that comprises two levels incorporating the gym, all weather access swimming pool, recreational space, medical centre and a restaurant that can be accessed by both residents of the development and members of the public.
- Key support infrastructure including electrical, stormwater, hard and soft landscaping (including vegetation removal as detailed on the Landscape Plans) and road infrastructure including additional parking facilities for visitors.

- Erection of one business identification sign on the proposed clubhouse which will have the name of the development, being 'Milton Meadows' as shown on the elevations for the clubhouse.

This Addendum SEE provides a detailed description of the site, history of the application, the amended proposal, and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). That assessment has found that the proposal:

- Meets the current objectives of the LEP and DCP where applicable.
- Will not result in significant negative impacts on surrounding land uses and environment.
- Is responsive to site context and presents a positive visual relationship with surrounding uses.
- Is strongly in the public interest.

This Addendum SEE forms part of a suite of updated documents that are submitted in support of the application attached as **Appendices A-K**. All other reports submitted previously submitted remain valid.

1.1 Project Context

In August 2005, a rezoning application was lodged with Shoalhaven Council that requested Council to commence the statutory process required to amend the Shoalhaven Local Environment Plan 1985, which applied to the subject site at that time. The rezoning request sought the rezoning of the land from Rural 1(b) (Arterial and Main Road Protection) which has been identified as being a 'Scenic Preservation Area' to allow for a seniors housing development on the site.

A concept Masterplan for a staged Seniors Living Development was submitted to Council in support of the rezoning which, at that time, involved a review of visual impact, traffic, noise, bushfire, ecology, links between the Meadows of Milton and town centre and social and economic impacts. Following a detailed assessment of that Masterplan and supporting report an additional permitted use was added to the Shoalhaven LEP to allow a seniors housing development.

Pursuant to Clause 8 of Schedule 1 of the Shoalhaven Local Environmental Plan (LEP) 2014, development for the purpose of seniors housing is now permitted with development consent, but only if the consent authority is satisfied of the following:

- a) any public utility infrastructure that is essential for the development is available or that adequate arrangements have been made to make that infrastructure available when required; and
- b) a traffic study has been prepared to assess the impact of the development on the Princes Highway and the local road network.

A Servicing Arrangements Report prepared by LoFi Consulting Engineers which details the sites ability to access essential services and which also provides a detailed plan outlining the servicing arrangements proposed was submitted as part of **RA17/1001**.

In addition, a detailed Traffic Report was prepared by GTA Consultants that assesses the impact of the proposed development on the existing road network and Princes Highway was submitted as part of **RA17/1001**.

Based on the above, the requirements of Clause 8 of Schedule 1 of the LEP have been met and the proposed seniors housing development is therefore deemed permissible in the applicable zone.

1.2 History Since Lodgement

The following details the history of the project since lodgement of **RA17/1001** on 23 May 2017:

- **30 May 2017** – Additional information request issued by Council. The request detailed required additional information to be submitted to progress the assessment of the application. A response was provided to Council.
- **7 August 2017** - Additional information request issued by Council. The request detailed required additional information regarding visual impact, heritage, operation and traffic issues raised by both Council staff and the Roads and Maritime Services (RMS).
- **27 November 2018** – Amended documentation submitted to Council in response to the additional information request received on 7 August 2017. The amended documentation included a gull wing intersection access design for the site from Princes Highway which was not supported by Council or the RMS. Council then advised in early 2019 that a roundabout access from Princes Highway was the preferred access arrangement. Subsequent correspondence was undertaken between the applicant, Council and the RMS to provide a satisfactory roundabout access design.
- **15 April 2019** – The Southern Regional Planning Panel (The Panel) undertook a site inspection and were briefed on the application by Shoalhaven City Council. The Panel raised key issues for discussion which were detailed in the record of briefing provided to the applicant.
- **28 August 2019** – RMS issued their concurrence on the proposed roundabout and associated local road connections on Princes Highway to provide access to the proposed development.

As a result of the Panel’s key issues and the revised access arrangements from the Princes Highway amendments have been made to the proposed development to accommodate the new access route which required some physical changes to the location of some of the proposed dwellings as well as some additional vegetation removal works.

This Addendum SEE has been prepared in support of an amended design and supporting documentation that has been provided in response to the Panel’s key issues discussed at the briefing and RMS providing concurrence on the proposed roundabout and access from Princes Highway (**Appendix K**). A response to each of the Panel’s key issues is provided in Section 1.3 of this SEE.

1.3 Southern Regional Planning Panel Key Issues

On 15 April 2019, the Southern Regional Planning Panel undertook a site inspection and were briefed on the application by Shoalhaven City Council. The Panel raised a number of key issues which are addressed in the table below.

Table 1 - Response to Panel's Key Issues		
Development Component	Key Issue	Response
Roundabout Access	<p>Roundabout access to the Princes Highway and dedicated internal road:</p> <ul style="list-style-type: none"> • Need for amendment to application and public notification of new access to highway; • Details of any retaining walls/filling associated with the roundabout; and • Ecological impacts of roundabout proposal to be addressed. 	<p>Amended Roundabout and Access Concept Design Plans have been prepared by Footprint Sustainable Engineering and are provided in Appendix E detailing the proposed roundabout and access as reviewed by the RMS. The amended plans provide sufficient detail for Council to publicly notify the new proposed access to the highway.</p> <p>The Amended Roundabout and Access Concept Design Plans (Appendix E) provide detail of the earthworks and retaining walls associated with the proposed roundabout and access from Princes Highway. The proposed roundabout and access has been designed to minimise earthworks on site and minimise the impact of the development on the surrounding road network and adjoining properties.</p> <p>An Amended Flora and Fauna Assessment has been prepared by Cumberland Ecology in support of the amended design and is provided in Appendix F. The amended report includes an assessment of the ecological impacts of the proposed roundabout and access and concludes that the access is unlikely to significantly impact on the flora and fauna of the study area and the mitigation recommendations in the assessment are deemed appropriate to offset the minor losses that will occur</p>

Table 1 - Response to Panel's Key Issues		
Development Component	Key Issue	Response
		as a result of the proposal.
Site Planning Response to Visual Exposure Map	<p>Applicant's site planning response to the Visual Exposure Map prepared by Lamb & Associates 2005 that was used to approve the enabling clause permitting seniors housing on the site:</p> <ul style="list-style-type: none"> Reason/Justification for the location and density of proposed development over the site, in particular why buildings have been proposed in locations of higher visual exposure; and Justification for the proposed loss of vegetation including Hollow Bearing trees. 	<p>An Addendum Visual Impact Assessment has been prepared by Scape Design and is provided in Appendix B. The Addendum Visual Impact Assessment provides an overlay of the Visual Exposure Map prepared by Lamb & Associates 2005 over the site plan of the proposed development that demonstrates the layout of the proposed buildings and density across the site in relation to the areas of visual exposure. The development has been designed to ensure lower scale buildings are proposed in the higher visual exposure areas to ensure the visual impact of the development is minimised. Where higher density development is proposed in the high and moderate visual exposure areas mitigation measures have been incorporated to reduce the visual impact of the built form and as detailed in the Addendum Visual Impact Assessment the built form is deemed to be reasonable from a visual impact perspective.</p> <p>The Amended Flora and Fauna Assessment (Appendix F) provides an assessment of the impact of the proposed development on existing vegetation. The assessment concludes that the loss of these habitat features is unlikely to significantly impact on the flora and fauna of the study area as they represent only a small number of such features in a degraded habitat. The mitigation recommendations in the</p>

Table 1 - Response to Panel's Key Issues		
Development Component	Key Issue	Response
		assessment is deemed appropriate to offset the minor losses that will occur as a result of the proposal.
Visual Impact Assessment	Visual Impact assessment from the point of view of the two nearest residences at 52 & 60 Winward Way.	An Addendum Visual Impact Assessment has been prepared by Scape Design and is provided in Appendix B . The Amended Visual Impact Assessment provides an assessment from the point of view of the two nearest residences at 52 and 60 Winward Way. The assessment demonstrates that by implementing the specific mitigation measures, the development can successfully manage its visual impacts reducing them to acceptable levels.
Fig Tree	Large Fig Tree (Ficus obliqua) SE corner of site – proposed road & building envelopes within the 30m Tree Protection Zone.	<p>The primary component for protection to ensure the health and longevity of the fig tree is the drip line with the 30m Tree Protection Zone (TPZ) providing an additional buffer for protection as detailed in the Arborist Report prepared by Allied Tree Consultancy previously submitted.</p> <p>The design of the proposed development has been amended to ensure no proposed building footprints sit within the Tree Protection Zone and the proposed road is not located within the Drip Line of the fig tree as detailed in the Amended Architectural Plans provided in Appendix A. The following design amendments were made to ensure the tree is protected and the impact of the proposal is minimised:</p> <ul style="list-style-type: none"> • The removal of dwellings from around the tree;

Table 1 - Response to Panel's Key Issues		
Development Component	Key Issue	Response
		<ul style="list-style-type: none"> • The amendment of the drainage design to ensure no trenching is required within the TPZ. • Amendment of the proposed excavation design to ensure no cut or fill is to occur within the TPZ. • Roadway within the TPZ is documented as suspended concrete pavement on piers to minimise impact on the root system. <p>Allied Tree Consultancy have confirmed that the location of the proposed road within the TPZ is supportable as it does not encroach on the drip line of the tree.</p>

2.0 Site Analysis

2.1 Location and Context

The site is located to the south of the Milton township and sits on the southern side of the Princes Highway. The northern boundary of the site adjoins an unformed road known as Warden Street and the southern boundary of the site adjoins Windward Way.

The eastern boundary of the site is shared with the Milton Tourist Van Park and rural lands adjoin the western boundary. Two dwellings located on the northern side of Windward Way also adjoin the southern boundary of the site. The subject site is predominantly of rural character. The land is mostly sloping away from the ridge running generally east west along the southern boundary of the site down towards the north.

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

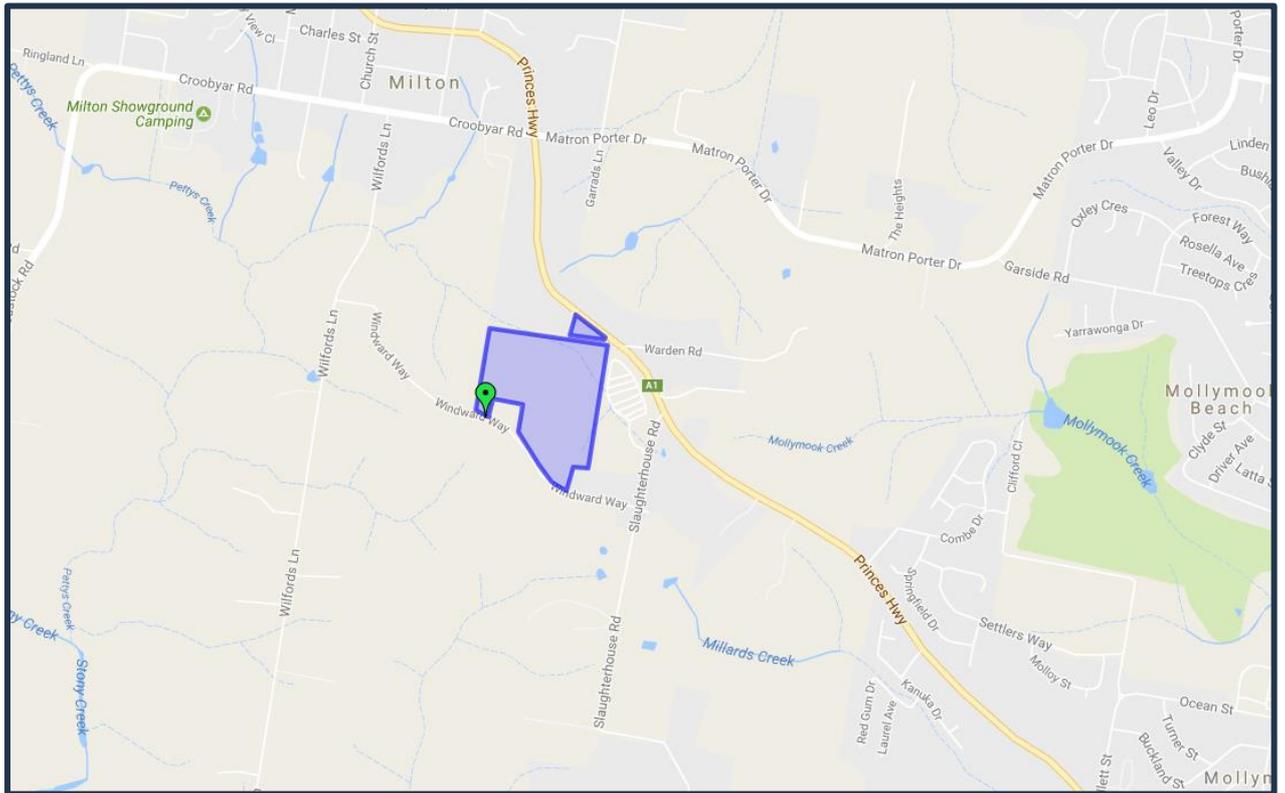


Figure 1: Site Location Plan (Source: Nearmap)

2.2 Site Description

The site is legally described as Lot 1, DP 780801 and Lot 1 DP 737576. The site has a frontage of 408m to Warden Road, a frontage of 139m to the Princes Highway and a frontage of 314m to Windward Way, a maximum depth of 511m and an overall area of 14.88ha. The subject site is accessed from Windward Way which provides a direct connection from Slaughterhouse Road to Princes Highway.

The site slopes from the southern boundary to the northern boundary of the development area. It has a cross fall of RL 75m from the southern corner of the subject site to RL 50 to the most northern boundary of the site and a length of 515m.

The steepest part of the site is near the north-eastern part of the land which slopes southwards down from the Princes Highway. The bottom of the slope is the location for a creek and drainage alignment which also runs approximately in an east-west-direction. The creek is contained to within the northern part of the site.

The land contains a significant amount of existing vegetation along the northern boundary which in part screens views into the site from the Princes Highway. Existing trees and vegetation clumps are scattered throughout the site which also screens segments of the site when viewed from the Highway.

An aerial photo of the site is shown at **Figure 2** below.

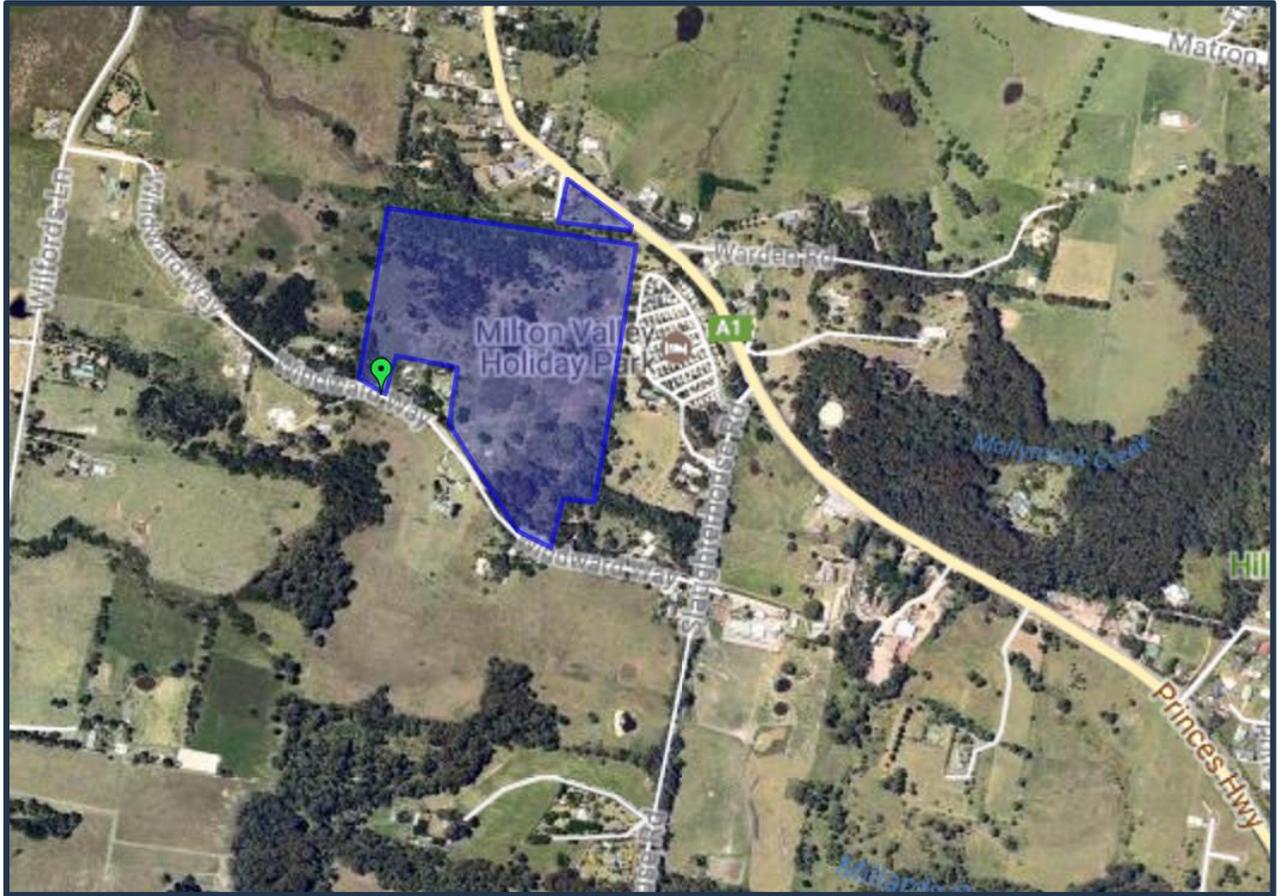


Figure 2: Site Aerial – Source: Nearmap (site identified in blue)

2.3 Existing Site Conditions

The only structures present on the subject site is an old silo and pig pen used as part of previous agricultural activities on Lot 1 DP 780801 and an existing dwelling on Lot 1 DP 737576 which are proposed to be demolished as part of this application. Specific details on analysis is provided as follows:

- Landform** The site slopes from the southern boundary to the northern boundary of the development area. It has a cross fall of RL 75m from the southern corner of the subject site to RL 50 to the most northern boundary of the site.
- Buildings/Structures** As noted, the only structures present on site is an old silo and pig pen used as part of previous agricultural activities on Lot 1 DP 780801 and an existing dwelling on Lot 1 DP 737576.
- Access** The subject site is accessed from Windward Way. That road maintains a local road status and connects into Slaughterhouse Road to the east and Wilford's Lane to the west.
- Vegetation** The land contains a significant amount of existing vegetation along the northern boundary and existing trees and vegetation clumps are scattered throughout the site.

Watercourses

The site contains two watercourses, a category 2 and category 3 identified watercourse on its northern and eastern boundary.

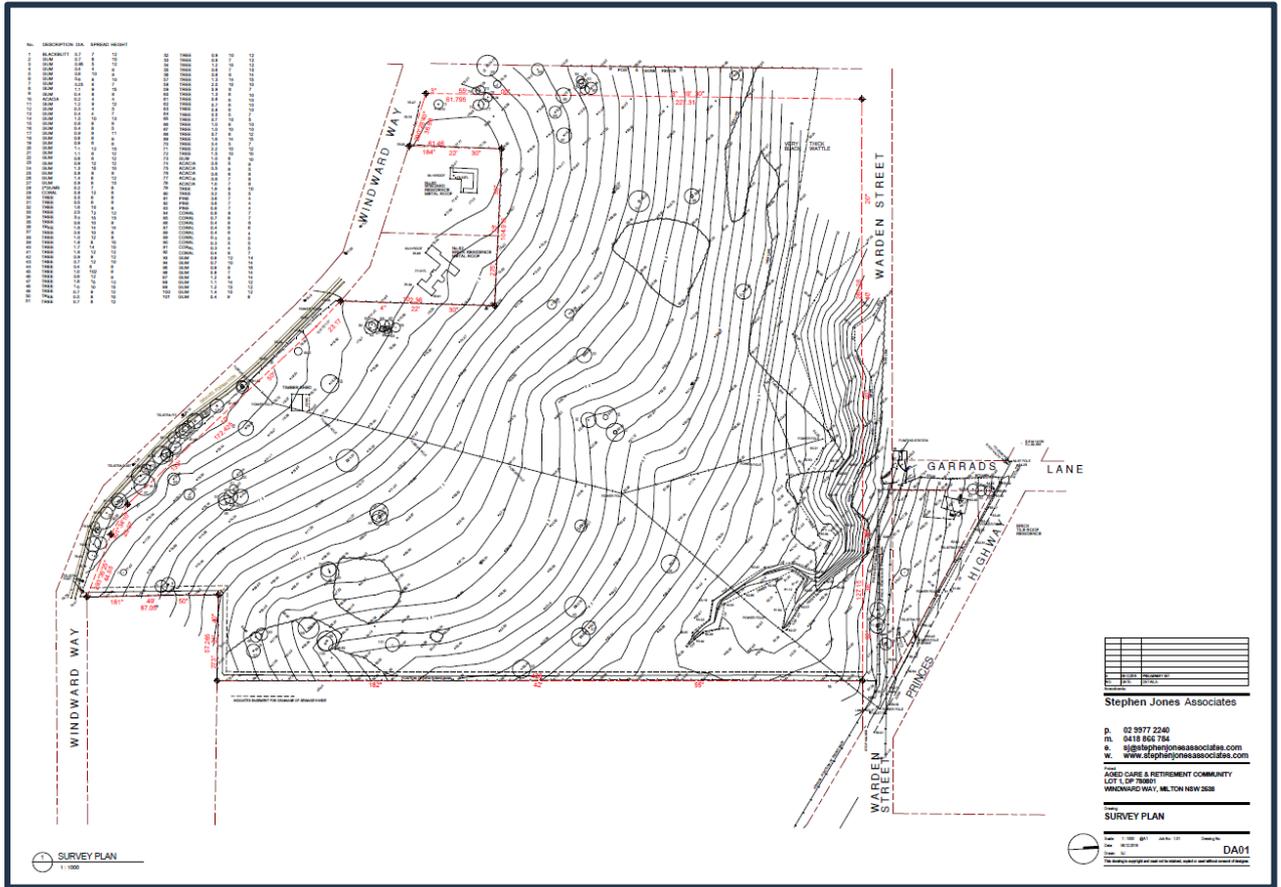


Figure 3: Existing Site Survey

3.0 Proposed Development

3.1 Overview

The DA seeks consent for the construction of a seniors housing development and associated works at Windward Way, Milton. Specifically, consent is sought for the erection and use of the following buildings and works:

- Demolition of existing dwelling, pig pen and silo;
- Construction of roundabout, access from the Princes Highway and internal accessway;
- Construction of a single storey residential care facility which will accommodate 89 beds across a Gross Floor Area of 4,330m².
- Construction of 127 independent living units in the form of duplex and triplex dwellings that range from 1, 2 and 3 bedroom dwellings. All dwellings contain either a single or double garage.

- Construction of 7 three storey residential flat building development which proposes 133 independent living units. Units comprise of 1, 2 and 3 bedroom units and have access to basement car parking.
- Construction of a clubhouse that comprises two levels incorporating the gym, all weather access swimming pool, recreational space and a restaurant that can be accessed by both residents of the development and members of the public.
- Key support infrastructure including electrical, stormwater, hard and soft landscaping (including vegetation removal as detailed on the landscape plans) and road infrastructure including additional parking facilities for visitors.
- Key support infrastructure including electrical, stormwater, hard and soft landscaping and road infrastructure including additional parking facilities for visitors and also for caravans.
- Retention of existing vegetation on the site's northern boundary, retention of the significant fig tree and additional offset planting for any loss of vegetation necessary to support the development of the site.
- Provision of a pond on the northern boundary which will be used for on-site detention but also as a feature for residents and bushfire protection measures; and
- Erection of one business identification sign on the proposed clubhouse which will have the name of the development, being 'Milton Meadows' as shown on the elevations for the clubhouse.

3.2 Revised Access Arrangements

As detailed the proposed access arrangement for the development has been revised in discussions with Council and the RMS. Previously it was proposed to access the site from the Princes Highway via Warden Road through an updated intersection, which raised a number of concerns for Council and the RMS.

The revised access now comprises of the construction of a new roundabout on Princes Highway which will provide direct access to the site via a new public road that will continue through the site to Windward Way, identified as Central Avenue on the Amended Architectural Plans (**Appendix A**). Central Avenue would function as a public road and is proposed to be dedicated to Council. The RMS have reviewed the revised access design and have detailed they will not object to the application as the design will not adversely impact the surrounding road network, refer to the RMS Concurrence provided in **Appendix K**.

The revised access arrangement and associated land dedication has resulted in amendments to the design of the proposed development comprising of additional vegetation removal and the relocation of some of the proposed dwellings with frontage to Central Avenue.

An assessment of the additional vegetation removal associated with the new access has been undertaken by Cumberland Ecology and is included in the Amended Flora and Fauna Report provided in **Appendix F**. The Amended Flora and Fauna Report concludes that the impact of the additional vegetation removal will not result in significant impact to threatened species, populations or communities on site and the

retention of existing vegetation elsewhere onsite and proposed landscaping is deemed appropriate to offset the loss of vegetation.

The dedication of Central Avenue has resulted in amendments to the layout of the proposed dwellings with frontage to Central Avenue to ensure compliant setbacks are provided and the dwellings appropriately address the public road.

The amendments made to facilitate the revised access have necessitated the reassessment of the development against the applicable controls as set out in the following sections.

4.0 Assessment of Environmental Impacts

4.1 Statutory Planning Framework and Compliance

An assessment of the proposal has been made against the relevant planning instruments applicable to the land and the proposal. These are:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No.55 – Remediation of Land;
- State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development;
- State Environmental Planning Policy (Housing for Seniors or People with a Disability);
- State Environmental Planning Policy No.64 – Advertising and Signage;
- Shoalhaven Local Environmental Plan 2014; and
- Shoalhaven Development Control Plan 2014

4.1.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP (BASIX) applies to the subject site. SEPP BASIX requires development in NSW to meet sustainability targets. A BASIX Report, submitted with the original application, was prepared for the proposed development that indicated the development will satisfy the relevant water and energy targets. Therefore, the requirements of this SEPP are met.

4.1.2 State Environmental Planning Policy No.55 – Remediation of Land

SEPP 55 requires Council to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, Council must be satisfied that the land can and will be remediated before the land is used for that purpose.

SEPP 55 further requires the preparation of a report specifying the findings of a preliminary investigation of the land concerned, carried out in accordance with the contaminated land planning guidelines, to be considered by the consent authority before determining an application for consent to carry out development that would involve a change of use of that land.

A Phase 1 Contamination Assessment for the site in support of this DA was submitted with the original application. The contamination assessment notes asbestos containing cement sheeting was visually identified in pig pen present on site. It provides a series of remediation measures which if implemented, will render the site suitable for its intended use. The site is therefore considered suitable for its intended use and compliant with the requirements of SEPP 55.

4.1.3 State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development

SEPP 65 Design Quality Principles have been incorporated into the design of the amended proposed development. Stephen Jones and Associates prepared a detailed Design Verification Statement along with a SEPP 65 / Apartment Design Guide Analysis which addressed the requirements of SEPP 65 and was previously submitted as part of the application.

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

The provisions of Chapter 3 of the SEPP state that the objective of this chapter is 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”.

This DA proposes a range of dwelling typologies including a residential care facility and independent living units in the form of both duplex dwellings and apartment units.

A Residential Care Facility is defined within Clause 11 as:-

‘residential care facility’

In this Policy, a residential care facility is residential accommodation for seniors or people with a disability that includes:

- (a) meals and cleaning services;*
- (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 residential care facility will provide meals, cleaning and nursing services to residents and adequate staffing, furniture and equipment will be provided in accordance with the definition.

Self-contained dwellings is defined within Clause 13(1) as:-

‘self contained dwelling’

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

The proposed self-contained dwellings/units provide private facilities for cooking, sleeping and washing for their residents in accordance with the definition.

It is considered that the amended proposal complies with the requirements of the SEPP in respect to the definition of a residential care facility and self-contained dwellings.

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
2 Aims of this Policy	This Policy aims to encourage the provision of housing (including residential care facilities) that will: (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.	Yes. The proposed development as amended is considered to be well designed and is capable of utilising existing infrastructure that services the adjacent developments, i.e. sewer, water, electricity connections which are already available. Discussions have occurred with Endeavour Energy and Shoalhaven on water supply.
18 Restrictions on occupancy of seniors housing allowed under this chapter	(1) A consent authority must not consent to a development application made pursuant to this Chapter unless: (a) a condition is imposed by the consent authority to the effect that only the kinds of people referred to in subclause (1) may occupy any accommodation to which the application relates, and (b) the consent authority is satisfied that a restriction as to user will be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to	Yes. The development proposes its use for seniors or those with a disability. A condition can be imposed to reflect this.

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>the kinds of people referred to in subclause (1).</p> <p>(3) Subclause (2) does not limit the kinds of conditions that may be imposed on a development consent or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.</p>	
22 Fire Sprinkler Systems in a Residential Care Facility for Seniors	Development for the purpose of the installation of a fire sprinkler system in a residential care facility for seniors may be carried out with development consent	Yes. A sprinkler system is proposed within the residential care facility.
26 Location and Access to Facilities	<p>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> <ul style="list-style-type: none"> a. shops, bank service providers and other retail and commercial services that residents may reasonably require, and b. community services and recreation facilities, and c. the practice of a general medical practitioner. 	<p>Yes. Access to shops, banks and other business/retail services will be achieved through the provision of a shuttle bus on site. That bus will be 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.</p> <p>Pathway gradients to get access to the bus stops throughout the site are not proposed to be greater than 1:14.</p>
27 Bush Fire Prone Land	A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 10.3 of the Act as “Bush fire prone land—vegetation category 1”, “Bush fire prone land—vegetation category 2” or “Bush fire prone land—vegetation buffer” unless the consent	Yes. The site is mapped as bushfire prone land and a Bushfire Report has been prepared by Australian Bushfire Protection Planners and is provided in Appendix J . That report details the developments ability to fully comply with Planning for Bushfire Protection 2006.

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	authority is satisfied that the development complies with the requirements of the document titled <i>Planning for Bush Fire Protection</i>	
28 Water and Sewer	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.	Yes. The site has access to reticulated water and capacity to service this development has been discussed with Council. In addition, the site can also be connected to sewer.
29 Consent authority to consider certain site compatibility criteria for development applications to which Clause 24 does not apply	In determining an application to this clause applies must consider the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).	Yes. The proposed development as amended has been sited taking into consideration aspect, topography and existing adjacent land uses. The proposed development as amended is generally consistent with the scale of nearby development to the east and is considered to be an appropriate response to the constraints of the site. The scale, bulk and height of the proposed building envelopes has been developed to provide appropriate legibility and scale and to also take into account the scenic protection area that exists across the site.
30 Site Analysis	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.	Yes. A site analysis plan has been prepared which includes an assessment of the site topography, existing vegetation, existing heritage, services, views and other built structures that exist. This site analysis plan complies with the requirements of this clause and is provided in the Amended Architectural Plans (Appendix A).
33 Neighbourhood Design 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	Yes. The amended proposal has been sited and designed to ensure minimal impact on existing local character

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>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</p> <p>(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</p> <p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <p>(i) providing building setbacks to reduce bulk and overshadowing, and</p> <p>(ii) using building form and siting that relates to the site’s land form, and</p> <p>(iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</p> <p>(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</p> <p>(e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p> <p>(f) retain, wherever reasonable, major existing trees, and</p> <p>(g) be designed so that no building is constructed in a riparian zone.</p>	<p>whilst maintaining neighbourhood amenity. The proposed development as amended is considered to be generally consistent with the existing character of the area as it comprises a mix of single and three storey built form.</p> <p>Whilst it also proposes three storey built form, these units are sufficiently set back and are sitting on the site’s lowest points to minimise bulk and scale and to respect existing residential development in the surrounding area.</p> <p>Both existing mature trees/vegetation and proposed landscaping will help soften and screen the development both internally and externally. The proposed development as amended will not have any negative impacts upon adjacent development from an overlooking, overshadowing and view loss perspective.</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
34 Visual and Acoustic Privacy	<p>The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>Yes. The siting of the proposed development as amended ensures that no balconies or private open space is located adjacent to existing dwellings. The closest residential dwellings are located to the south and will be screened from the proposed development as amended through the use of indigenous, native and local area character screen planting.</p> <p>In addition, an Acoustic Report was previously submitted in support of the DA which proposes attenuation measures for the clubhouse and associated structures that sit to the west of the proposed swimming pool area.</p>
35 Solar Access and Design for Climate	<p>The proposed development should:</p> <p>(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</p> <p>(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.</p>	<p>Yes. The development has been designed to maximise the use of natural daylight and ventilation and is consistent with the requirements of this clause. Dwelling/unit orientation allows for cross flow ventilation and sufficient solar access for each dwelling/unit.</p> <p>Shadow diagrams provided in the Amended Architectural Plans (Appendix A) for the proposed development demonstrate that the proposed buildings will not impact the private open space areas associated with the units or within the communal open spaces proposed around the development.</p>
36 Stormwater	<p>The proposed development should:</p> <p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters</p>	<p>Yes. Amended Civil Engineering Plans detailing the stormwater drainage design of the development have been prepared by Samana Blue and are provided in Appendix C.</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and</p> <p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	
37 Crime Prevention	<p>The proposed development should provide personal property security for residents and visitors and encourage crime prevention by:</p> <p>(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</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>(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	<p>Yes. The amended proposed development included measures to ensure the safety and sense of security for the residents such as passive surveillance provided by windows overlooking common areas, a security fence on the property boundaries and the use of outdoor lighting within the development.</p>
38 Accessibility	<p>The proposed development should:</p> <p>(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and</p> <p>(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.</p>	<p>Yes. The development incorporates formalised access through the site and provide a legible network for pedestrians and vehicles. The proposal will provide appropriate access for people with disabilities throughout the development as the following features are incorporated into the development:</p> <ul style="list-style-type: none"> • Footpaths providing an accessible path to each building from the street;

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
		<ul style="list-style-type: none"> Basement car parking and street parking in accordance with AS 2890.6; Separate pedestrian and vehicular traffic routes; Kerb ramps to AS 1428.1 to provide access from the road to the footpath level; Access to all levels of each building by way of a lift complying with BCA 2012; and Access to communal facilities.
39 Waste Management	The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	<p>Yes. Waste will be collected by a commercial contractor. Access to the waste area for the residential care facility will be via a designated bin collection area adjacent to the loading/unloading service area.</p> <p>The self-contained residential units will have a garbage shoot at each level which directs waste into the basement below. That waste will be collected in communal bins and taken to street level of collection.</p> <p>The duplexes will also have access to a communal bin storage area and those bins will be placed on street at bin collection day. A Waste Management Plan was submitted as part of the original application.</p>
40 Development Standards – Minimum sizes and Building Heights	<p>The site must have a minimum lot size of 1,000m²</p> <p>The proposal must provide a minimum frontage 20m at the building line</p> <p>If the development is proposed in a residential zone where residential flat buildings are not permitted:</p>	<p>Yes. The site has an overall area of 14.88ha.</p> <p>Yes. The site has a frontage of 314m to Windward Way.</p> <p>Yes. As the subject site is not zoned residential, this height control does not apply. The development proposes a</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>(a) the height of all buildings in the proposed development must be 8 metres or less, and;</p> <p>(b) a building that is adjacent to a boundary of the site; and</p> <p>(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.</p>	<p>maximum building height of 10.2m (for the apartment buildings) and this is considered reasonable having regard to the limited visual impacts this will have based on its siting and also based on the existing mature vegetation that screen the site.</p>
<p>41 Standards for hostels and self-contained dwellings</p>	<p>A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of a hostel or self-contained dwelling unless the proposed development complies with the standards specified in Schedule 3 for such development.</p>	<p>Yes. The proposed development as amended has been designed to comply with Schedule 3 of the SEPP.</p>
<p>48 Standards that cannot be used to refuse development consent for residential care facilities</p>	<p>Building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or</p> <p>Density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less</p> <p>Landscaped area: if a minimum of 25 square metres of landscaped area per residential care facility bed is provided</p> <p>Parking for residents and visitors: if at least the following is provided:</p> <ul style="list-style-type: none"> 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the 	<p>Yes. The maximum building height of the RCF is 7.74m and is single storey.</p> <p>Yes. The FSR of the overall development is 0.216:1.</p> <p>Yes. Based on the 89 beds proposed, 2,225m² of landscaped space is required. All up, the site proposes 16,960m² of landscaped area which more than complies with this control.</p> <p>Yes. Based on the 89 beds proposed, a total of 9 car spaces are required plus 1 space for every two staff members. In total 16 spaces (including 2 disabled spaces) are proposed to service the residential care facility. An</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>facility provides care only for persons with dementia);</p> <ul style="list-style-type: none"> • 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and • 1 parking space suitable for an ambulance. 	ambulance space is also provided for on site.
<p>50 Standards that cannot be used to refuse development consent for self-contained dwellings</p>	<p>The proposed building is 8m high or less</p> <p>The proposal does not exceed a density and scale 0.5:1 or less</p> <p>A minimum of 30% of the area of the site is to be landscaped</p> <p>Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site</p>	<p>As noted, the maximum building height of the apartment buildings is 10.2m and comprises three storeys (duplex dwelling all have a maximum height of 7.1m). This is considered acceptable on site given it has no adverse overshadowing, view loss or bulk issues associated with it. The three storey components sits on the sites lowest point and will not be visible from Princes Highway or from the north of the site due to existing mature vegetation.</p> <p>Yes. The FSR of the overall development is 0.216: 1.</p> <p>Yes. The site’s landscapes area meets the required 30% as show on the landscape plans.</p> <p>Yes. Over 15% of deep soil zones are provided with the development.</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>Living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter</p> <p>Private open space of 15m² or an area of 3m x 3m long accessible from living area located on ground floor; or a balcony area of not less than 10m² that is not less than 2m in length or depth that is accessible from a living area</p> <p>0.5 car parking spaces for each bedroom</p>	<p>Yes. Living rooms and Private Open Space for a minimum 70% of the development for dwellings/units receive 3 hours' direct sunlight between 9am and 3pm in mid-winter. Shadow diagrams are provided in the Amended Architectural Plans (refer to Appendix A).</p> <p>Yes. Private open space of at least 15m² or balconies with areas of at least 10m² are provided for all independent living units.</p> <p>Yes. In total, 80 x 3-bedroom units/dwellings, 123 x 2 bed units/dwellings and 57 x 1 bed units/dwellings are proposed. Therefore, 272 car spaces are required for the independent living units and a total of 510 spaces are proposed.</p>
55 Residential care facilities for seniors required to have fire sprinkler systems	A consent authority must not grant consent to carry out development for the purpose of a residential care facility for seniors unless the proposed development includes a fire sprinkler system.	Yes. A fire sprinkler system is proposed for the residential care facility.
Schedule 3, Part 1 and 2 - Standards applying to hostels and self-contained dwellings	<p>Wheelchair Access - If the whole of the site has a gradient of less than 1:10, 100% of the dwellings must have wheelchair access by a continuous accessible path of travel (within the meaning of AS 1428.1) to an adjoining public road.</p> <p>Access must be provided in accordance with AS 1428.1 so that a person using a wheelchair can use common areas and</p>	Yes. The amended development has been designed to be fully wheelchair accessible in line with the SEPP. The access paths have been included in the Architectural Plans (Appendix A) with the provision to incorporate fully compliant ramps and switchbacks to and from individual units and to any other point in within the development. The full compliance to Australia Standards is intended to be

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>common facilities associated with the development.</p> <p>Security - Pathway lighting: (a) must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and (b) must provide at least 20 lux at ground level.</p> <p>Letterboxes: (a) must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and (b) must be lockable, and (c) must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.</p> <p>Private car accommodation If car parking (not being car parking for employees) is provided: (a) car parking spaces must comply with the requirements for parking for persons with a disability set out in AS 2890, and (b) 5% of the total number of car parking spaces (or at least one space if there are fewer than 20 spaces) must be designed to enable the width of the spaces to be increased to 3.8 metres, and (c) any garage must have a power-operated door, or there must be a power point and an area for motor or</p>	<p>demonstrated and finalised within the Construction Certificate Drawings.</p> <p>Yes. Pathway lighting will be provided as part of the development.</p> <p>Yes. Letterboxes will be provided as part of the development.</p> <p>Yes. Carparking has been provided in accordance with the relevant standards and specifications.</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>control rods to enable a power-operated door to be installed at a later date.</p> <p>Accessible entry Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299.</p> <p>Interior: general (1) Internal doorways must have a minimum clear opening that complies with AS 1428.1. (2) Internal corridors must have a minimum unobstructed width of 1,000 millimetres. (3) Circulation space at approaches to internal doorways must comply with AS 1428.1.</p> <p>Bedroom At least one bedroom within each dwelling must have: a. an area sufficient to accommodate a wardrobe and a bed sized as follows: (i) in the case of a dwelling in a hostel—a single-size bed, (ii) in the case of a self-contained dwelling—a queen-size bed, and b. a clear area for the bed</p> <p>Bathroom At least one bathroom within a dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for</p>	<p>Yes. Every entry has been designed to comply with AS 4299.</p> <p>Yes. Each entry, corridor and circulation space has been designed to comply with AS 1428.1.</p> <p>Yes. Each dwelling is provided with a bedroom that has sufficient area to accommodate the required bed and wardrobe.</p> <p>Yes. Each dwelling is provided with a bathroom that provides for circulation space for sanitary facilities in accordance with AS 1428.1.</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>circulation space for sanitary facilities in accordance with AS 1428.1:</p> <ul style="list-style-type: none"> (a) a slip-resistant floor surface, (b) a washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1, (c) a shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future <p>Toilet</p> <p>A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299.</p> <p>Surface finishes</p> <p>Balconies and external paved areas must have slip-resistant surfaces.</p> <p>Door hardware</p> <p>Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299.</p> <p>Ancillary items</p> <p>Switches and power points must be provided in accordance with AS 4299.</p> <p>Living room and dining room</p> <p>(1) A living room in a self-contained dwelling must have:</p> <ul style="list-style-type: none"> (a) a circulation space in accordance with clause 4.7.1 of AS 4299, and (b) a telephone adjacent to a general power outlet. 	<p>Yes. Each dwelling is to be provided with one toilet that complies with the requirements for sanitary facilities of AS 4299.</p> <p>Yes. All balconies and external paved areas will be slip resistance.</p> <p>Yes. Door handles will be provided in accordance with AS 4299.</p> <p>Yes. Switches and power points will be provided in accordance with AS 4299.</p> <p>Yes. Each dwelling is provided with a living room that provides circulation space in accordance with AS 4299, includes a telephone adjacent to a power outlet and capability to allow for illumination level of at least 300 lux.</p>

Table 2: Seniors Housing SEPP Compliance Table		
SEPP Clause	Requirement	Complies - Comment
	<p>(2) A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.</p> <p>Kitchen A kitchen in a self-contained dwelling must be provided in accordance with AS 4299 and AS 1428.1.</p> <p>Lifts in multi-storey buildings In a multi-storey building containing separate self-contained dwellings on different storeys, lift access must be provided to dwellings above the ground level of the building by way of a lift complying with clause E3.6 of the Building Code of Australia.</p> <p>Laundry A Laundry in a self-contained dwelling must be provided in accordance with AS 1428.1.</p> <p>Storage for linen A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.</p> <p>Garbage A garbage storage area must be provided in an accessible location.</p>	<p>Yes. Each dwelling is provided with a kitchen that complies with AS 4299 and AS 1428.1.</p> <p>Yes. The dwelling located above ground floor are provided with lift access.</p> <p>Yes. Each dwelling is provided with a laundry that complies with AS 1428.1.</p> <p>Yes. Each dwelling is provided with adequate linen storage.</p> <p>Yes. The proposed development provides garbage storage areas that are easily accessible for all residents.</p>

4.1.5 Shoalhaven Local Environmental Plan 2014

Permissibility

The site is situated within the Shoalhaven Local Government Authority (LGA) and is subject to the provisions of the Shoalhaven Local Environmental Plan (LEP) 2014. The subject site comprises two zones

including RU1 Primary Production for a large portion and E2 Environmental Conservation located on the sites north and eastern boundary.

The development proposes a senior housing development and seniors housing is a prohibited use in both zones. The site is subject to an additional permitted uses clause (Clause 8) under Schedule 1 of the LEP and that Clause states the following:

- 1) *This clause applies to land identified as “Sch 1.12” on the Clauses Map, being Lot 1, DP 780801 and Lot 1, DP 737576, Windward Way, Milton.*
- 2) *Development for the purpose of seniors housing is permitted with development consent, but only if the consent authority is satisfied of the following:*
 - a) *any public utility infrastructure that is essential for the development is available or that adequate arrangements have been made to make that infrastructure available when required,*
 - b) *a traffic study has been prepared to assess the impact of the development on the Princes Highway and the local road network.*

As the proposed development is located on Lot 1, DP 780801 and Lot 1 DP 737576, the proposed development is permissible with development consent. Servicing arrangements have been provided to Council for assessment along with a traffic study to assess the impacts of the proposed development on the Princes Highway and local road network.

Relevant Clauses

An assessment of the proposed development as amended against the relevant clauses within the LEP is provided in the following table.

Table 3: Shoalhaven LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
4.3 Height of buildings	Ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of a locality.	N/A – The subject site does not have a building height limitation applicable to it. The development proposes a maximum building height of 10.2m which is deemed reasonable and compatible with the surrounding built form based on the topography of the site and the mature screening currently existing.
5.10 Heritage Conservation	Conserve the environmental heritage of Shoalhaven	Yes. A Heritage Impact Statement was previously submitted. That report concludes that heritage values

Table 3: Shoalhaven LEP Compliance Table		
LEP Clause	Requirement	Complies - Comment
		associated with the listed item, “Pine View”, except for an increase in light traffic, will not be measurably impacted by this proposal. The proposal is deemed suitable for the site, given its context. The reliance of the design cues offered by both “Pine View” and Milton township have been simply and sympathetically expressed in this proposal.
7.1 Acid sulfate soils	Ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage	Yes. The site is identified as Class 5 under the acid sulfate soils map. A condition can be imposed to reflect any construction requirements here if applicable.
7.2 Earthworks	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.	Yes. Earthworks proposed will not have a detrimental impact on surrounding and uses or environmental functions of surrounding lands.
7.6 Riparian land and watercourses	To protect and maintain the ecological processes within watercourses and riparian areas.	Yes. A watercourse category 2 & 3 is identified to the north and east of the subject site. A referral to the NSW Office of water will be required in this instance and a controlled activity obtained prior to any works commencing on site.
7.11 Essential services	Development consent must not be granted for development unless the consent authority is satisfied that water, electricity and sewage services are available	Yes. The necessary infrastructure to service the development will be made available prior to the issue of an Occupation Certificate for the development.

4.1.6 Shoalhaven Development Control Plan 2014

The Shoalhaven Development Control Plan 2014 (SDCP 2014) provides detailed provisions to supplement the Shoalhaven LEP 2014. An assessment of the amended proposal against the relevant development controls applying to the subject land is presented below.

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
G1 – Site Analysis, Sustainable Design and Building Materials in Rural and Coastal Areas		
Site Analysis	A site analysis is to be provided which demonstrates the developments constraints and opportunities	Yes. A Site Analysis Plan has been prepared by Stephen Jones & Associates and is provided in the Amended Architectural Plans (Appendix A).
	<p>Development applications for commercial building are to consider the sites:</p> <ul style="list-style-type: none"> • Topographical features; • Buildings and private open spaces to be orientated to maximize solar access, winds and views; • Consideration to the character of the surrounding development, particularly to setbacks and subdivision layout; • Consideration towards the impact on surrounding development relating to overshadowing, privacy and obstruction of views; • Driveways and/or parking areas not to dominate the appearance of the development; • The visibility, width and design speed of proposed roads and/or driveways; • Include all easements for services and extent of contaminated land. 	Yes. The DA proposes the construction of a seniors housing development that is generally in accordance with councils site analysis controls. Further justification for the proposed development as amended is provided throughout this report in relation to solar access/overshadowing, views, setbacks, bulk and scale and road design.
G2 – Sustainable Stormwater Management & Erosion/Sediment Control		
Stormwater	<p>Development applications are to submit stormwater drainage plans that are in accordance with Councils stormwater controls and Council’s Engineering Design Specification.</p> <p>For mixed residential/commercial, commercial and industrial development, the drainage must be</p>	Yes. Amended Civil Engineering Plans detailing the stormwater drainage design of the development have been prepared by Samana Blue and are provided in Appendix C .

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
	designed to cater for a 10 year ARI event	
Onsite Stormwater Detention (OSD)	Ensure that the use of onsite stormwater detention (OSD) is appropriate the needs of the development. Onsite Stormwater Detention is required.	Yes. Amended Civil Engineering Plans detailing the stormwater drainage design of the development have been prepared by Samana Blue and are provided in Appendix C .
Stormwater Reuse	To optimise the reuse of stormwater to provide an alternative water supply.	Yes. Details of rainwater tanks are provided on the stormwater plans submitted in support of the DA.
Erosion and Sediment Control	An erosion and sediment control plan or soil and water management plan is required.	Yes. A detailed Erosion and Sediment Control Plan (ESCP) has been submitted that demonstrates compliance with the Landcom manual <i>“Soils and Construction, Managing Urban Stormwater, Vol 1 4th Edition, March 2004”</i>). Refer to comments below under ‘Engineering’ for additional details/requirements.
Stormwater Retention - General	The volume of retention storage provided is to be in accordance with Council’s requirements set out in this section.	Yes. A summary of the stormwater design of the proposal is outlined the stormwater plans prepared by Samana Blue. This details retention storage and level of increase of impervious areas based on the development proposed.
Large Scale development	Pollutant load reduction must be a minimum percentage reduction of the post development average annual load of pollutants.	Yes. The stormwater plans prepared in support of the DA deal with stormwater quality as well as stormwater quantity.
Design and maintenance of stormwater treatment measures	All stormwater treatment measures must be able to be maintained appropriately to ensure their optimal efficiency.	Yes. The stormwater measures proposed are capable of being maintained appropriately to allow optimal efficiency.
Waterfront Land	The core riparian zone for category 3 watercourses requires a width of 10m with no numerical controls for vegetation buffer distances. Vegetation buffer width will be merit based by Council.	Yes. A 25m core riparian zone for the watercourse present on site is provided for. Any vegetation buffer will be determined by Council where required.
Development Application Documents	Large Scale developments require An integrated water cycle management strategy (IWCMS).	Yes. Amended Civil Engineering Plans detailing the stormwater drainage design of the development have been prepared

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
	(Integrated water cycle management is the management of the water cycle in the urban and industrial context as a whole, including water use, water collection, water recycling and disposal.)	by Samana Blue and are provided in Appendix C . The stormwater management system is an integrated system designed to comply with Council's engineering specifications and the requirements of the DCP.
Chapter G3: Landscaping Design Guidelines		
Landscaping Design Guidelines	To minimise site disturbance and preserve the existing landscape elements which make a positive contribution to the character of the area through appropriate site design.	Yes. Landscaping proposed in support of the development seeks to minimise visual impact. The Amended Landscape Plans prepared by Zenith Landscape Design (Appendix D) includes details on location of landscaped areas (including dimensions), planting/species (mixture of trees, shrubs and grasses), pot sizes, quantities etc. Adequate landscaping is also provided within car park areas to break up the areas of concrete proposed. The plant species proposed conform to the Shoalhaven Tree Species where possible.
	A landscape plan must be submitted with the development application illustrating the Council's landscape principles.	Yes. Amended Landscape Plans have been prepared by Zenith Landscape Design in support of the application and are provided in Appendix D .
Chapter G5: Threatened Species Impact Assessment		
Threatened Species Impact Assessment	To ensure that threatened species, populations and EECs are protected from the impacts generated by development.	Yes. The proposed development as amended will incorporate mitigation measures to ensure threatened species are protected from the impacts of the development. The development is incorporating vegetation management zones and revegetation in order to reduce the potential impact of the development, refer to Appendix F for the Amended Flora and Fauna Report and Appendix G for the Amended Vegetation Management Plan.
Chapter G7: Waste Minimisation and Management Controls		

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
Waste Management Plan	A waste minimisation and management plan is submitted with the development application in accordance with Council’s Waste Minimisation and Management Guidelines 2009.	Yes. A Waste Management Plan (WMP) detailing the ongoing waste management was prepared by Stephen Jones & Associates and was previously submitted in support of the DA.
Chapter G14 – Other Residential Accommodation		
Security, Site Facilities, and Services	<p>Buildings adjacent to public or communal streets or public space are designed to allow casual surveillance and should have at least one habitable room’s window facing that area.</p> <p>Adequate light is provided to all pedestrian paths, shared areas, parking areas and building entries.</p> <p>Adequate open-air clothes drying facilities are easily accessible to all residents and are visually screened from the street.</p> <p>Garbage bin areas, mail boxes and external storage facilities are sited and designed for attractive visual appearance and for efficient and convenient use.</p> <p>Development to be within locations where reticulated water supply services, complying with the requirements for domestic and firefighting purposes, is available</p>	<p>Yes. All proposed streets have passive surveillance due to the orientation of dwellings/units and habitable room windows facing those streets.</p> <p>Yes. Lighting is proposed on all public areas and this is further detailed in Section 4.4 of this SEE.</p> <p>Yes. Adequate clothes drying facilities and areas are provided for each unit.</p> <p>Yes. Bin storage areas, mail boxes and storage areas are all sited to ensure no adverse impacts and are screened by landscaping where deemed necessary.</p> <p>Yes. Reticulated water supply services, complying with the requirements for domestic and firefighting purposes, is available.</p>
Chapter G17: Business, Commercial and Retail Activities (Clubhouse Component)		

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
Business, Commercial and Retail Development	Ensure the development and/or use does not generate emissions that could adversely affect the amenity of neighbouring premises.	Yes. The proposed clubhouse will not generate any adverse impacts that will affect the amenity of adjoining properties or the seniors housing component itself. This is detailed in the architectural plans, acoustic report, shadow diagrams and traffic report submitted in support of the DA.
	The activity should not cause soil or ground water contamination by the release or deposition of any liquid or solid wastes (including oil products and chemicals or their compounds) on to the soil.	Yes. The development as proposed proposes will not cause any contamination of soil or ground water.
	If the proposal has the potential to discharge liquid trade waste to Council's sewer you must obtain a liquid trade waste discharge approval from Shoalhaven Water. Additional contaminant prevention devices may be required by Council.	Yes. A trade waste approval will be sought from Shoalhaven Water for the development prior to the issue of a CC for the clubhouse.
	Waste collection to be incorporated into site design must be able to accommodate the vehicle maneuvering requirements of that vehicle for onsite collection.	Yes. Waste collection for the clubhouse has been incorporated into the overall design with internal road layouts and bin storage areas located to ensure ease of collection for waste collection vehicles.
	Waste and recycling storage areas should be of a size to meet the current and future needs of tenants. This includes potential waste and recycling requirements of a future change of use.	Yes. The WMP submitted in support of the DA details this requirement.
	Waste and recycling storage areas should be sited to minimise negative amenity impacts (noise, visual and odour).	Yes. Waste and recycling storage areas have been sited to ensure noises impacts re adequately managed.
	Ensure the hours of operation do not have an unreasonable adverse impact on any neighbouring premises.	Yes. Hours of operation for the proposed clubhouse are 7am to 11pm seven days a week.
Chapter G21: Car Parking and Traffic		

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
Car Parking Schedule	As per the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Yes. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 requires a total of 281 car spaces to service the development. A total of 585 car spaces and 8 caravan spaces are proposed.
5.2 Traffic	<p>A traffic study is provided as required by the relevant SEPP, or in accordance with RMS guidelines.</p> <p>A traffic statement is provided where the application falls outside SEPP requirements, or where requested by Council.</p> <p>A traffic study or statement is provided that has been prepared in accordance with RMS and AUSTRROADS guidelines to the satisfaction of Council.</p>	Yes. A Traffic Report has been previously submitted support of the DA.
5.3 Parking Layout and Dimensions	<p>Car parking spaces are provided on-site and are readily accessible from the road frontage of the development.</p> <p>Parking spaces must be clearly marked with line marking and signage (if restrictions are required to regulate or improve safety and/or efficiency) and must be installed in accordance with relevant standards.</p> <p>Where signs and lines are required on a public road or road related area to make safe and efficient the development, approval of the Shoalhaven Traffic Committee must first be obtained.</p>	<p>Yes. All car parking spaces are provided for onsite and are readily accessible and visible from the road frontage of the development.</p> <p>Yes. Car spaces are clearly line marked and fully comply with AS2890 and Councils requirements for car spaces.</p> <p>Yes. Any signs and lines requiring Council approval will be submitted to the Shoalhaven Traffic Committee.</p>
	Entrance to parking areas must not be accessed through buildings or carports.	Yes. No entrances to parking areas are proposed through buildings or carports.
	The minimum car space and aisle dimensions are shown in Figure 2.	Yes. Car spaces and aisle widths comply with AS2890 and Figure 2.

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
5.4 Access	Development must be designed so that vehicles enter and leave the premises in a forward direction.	Yes. All vehicles can enter and leave the premises in a forward direction.
	Where more than one access point is proposed to a site, the first driveway reached by traffic must be the entrance.	Yes. The proposed development as amended provides two entrance points with the access from Prices Highway being the main entrance.
	Vehicular access to parking areas will not be permitted in close proximity to traffic signals, major intersections or where sight distance is considered inadequate.	Yes. Driveway access points are not located in close proximity to traffic signals, major intersections or where sight distance is considered inadequate.
	Site distance requirements must comply with Figure 3.2 in AS2890.1.	Yes. Site distances proposed fully comply with AS2890.1.
	Buildings must be designed to ensure that there is adequate sight distance at intersections and driveways. In some instances this may require the provision of splay corners on buildings.	Yes. The development has been sited and designed to ensure adequate site distances are established.
	Turning paths for vehicles will be based upon the largest vehicles likely to utilise the premises.	Yes. All car parking areas have been designed to be within acceptable Australian Standards with an abundance of additional turning heads located between the interconnecting basements. Therefore, swept path analysis are not deemed to be necessary for DA stage and will be provided at Construction Certificate stage.
	Driveways must be a minimum of 1m from the side boundary.	Yes. The driveway proposed is setback well in excess of 1m from the adjoining block.
5.5 Maneuverability	<p>The following minimum turning paths are achieved:</p> <p>Commercial development</p> <ul style="list-style-type: none"> - Greater than 500m² GFA: <ul style="list-style-type: none"> ● Large Rigid Truck. ● 19.0m semi-trailer 	Yes. As noted, the plans provided by Stephen Jones & Associates detail adequate areas to accommodate turning paths for the largest vehicle likely to utilise the site (being a Medium Rigid Vehicle).

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
5.6 Service Areas	Service areas should operate independently of other parking areas.	Yes. Service/loading/unloading areas operate independently of car parking areas as shown on the site plan.
	All vehicles must enter and leave the site in a forward direction.	Yes. All vehicles will enter and exit the site in a forward direction.
	Internal roadways must be adequate in construction and design for the largest vehicle anticipated to utilize the site.	Yes. Internal accessways are designed to cater for the largest vehicle likely to utilise the site.
	Service docks are designed to cater for the largest vehicle anticipated to use the premises.	Yes. Service docks are capable of servicing the largest vehicle where deemed necessary.
	Service areas are designed to avoid the need for service vehicles to reverse across the pedestrian desire lines.	Yes. Service vehicles will not have the need to reverse into pedestrian desire lines based on their siting and location.
5.7 Landscape Design	The application must include detailed landscape plans indicating dimensions, levels and drainage, existing vegetation as well as location, type and character of proposed plantings.	Yes. The Landscape Plans proposed detail dimensions, plant specie selection, pot size as well as existing vegetation on site, refer to Appendix D .
	Perimeter planting to screen the proposed car park is to be defined in your landscape plan. The minimum width of perimeter planting is 3m and 1m for driveways	Yes. Planting is proposed within the frontage and also within the car park itself to soften the proposal. That planting is detailed in the landscape plans (Appendix D).
	Internal plantings of car parking areas are to be of a nature to shade cars and soften the impact of hard paved surfaces without obscuring visibility.	Yes. Plantings proposed are considered to provide shade where possible and soften the hardstand areas of the car park.
	Car parks should be located to complement existing streetscape qualities.	Yes. The location of the proposed car parking does not adversely impact on the development's presentation to the street frontages.
	Planting is to be designed appropriately so as not to impact upon minimum sight distance	Yes. Planting positions will not adversely impact on sight lines for drivers entering

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
	requirements (at access points, intersections, and around curves), clearance requirements (horizontal and vertical), and clear zone requirements.	and exiting the site and whilst maneuvering around the site.
5.8 Drivers with a disability	<p>Where buildings and car parks are required to be accessible, the development and design will comply with the requirements of Part D3 of the Building Code of Australia.</p> <p>Where access for the disabled is expected, a minimum of one (1) space for the disabled is required and thereafter one additional space per 100 spaces or part thereof.</p>	<p>Yes. Both the proposed building and car park spaces are compliant with the requirements of BCA.</p> <p>Yes. A total of 6 disabled access spaces are provided for across the site. Based on the provision of 585 car spaces which more than complies.</p>
5.10 Design of Driveways	Driveway design is consistent with driveway Types Based on Parking Spaces and Recommended Driveway Dimensions controls.	Yes. Based on the 585 car spaces proposed, the proposed driveways are deemed acceptable and viable to manage traffic in and out of the site.
5.11 Miscellaneous	<p>Vehicle entry and exit points to the site should be clearly marked with pavement arrows and signage.</p> <p>The location and availability of parking and loading facilities should be clearly indicated by the use of signs.</p> <p>Desired traffic movement should be indicated through the use of arrows painted on the pavement, preferably in a highly visible colour such as white or yellow</p>	<p>Yes. Vehicle entry and exit points will be clearly marked with single and directional arrows.</p> <p>Yes. Signage will again be used to ensure car parking areas and loading dock areas are legible upon entering the site.</p> <p>Yes. As noted, arrows are proposed to identify the directional movement of traffic throughout the site.</p>
	To ensure effective and safe use of speed humps within car parking areas.	Yes. Where speed humps are deemed necessary, they will be installed in accordance with AS2890.1 – 1993.
	Ensure the safety of persons using, and security of vehicles parked within car park areas through provision of lighting where appropriate.	Yes. Lighting has been incorporated into the overall design of the car park and will be fully compliant with AS1158.1– 1997.

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
	The design and installation of bicycle parking facilities should also comply with AS2890.3 Parking Facilities - Part 3: Bicycle Parking Facilities (1993).	Yes. All bicycle/motorcycle spaces will comply with AS2890.3.
	Ensure pedestrians and cyclists can safely access the development and that passing pedestrians and cyclists safety is not compromised by the development.	Yes. Based on the signage and directional arrows proposed, cyclists should also have no issues entering and exiting the site.
6.1.2 Construction Traffic Management Plans	Traffic management plans required for lodgment.	Yes. A traffic management plan will be lodged with Council prior to the issue of the Construction Certificate.
6.1.3 Traffic Studies	Where required, Traffic Impact Statements and/or Traffic Impact Studies must be prepared in accordance with RMS guidelines, and address minimum RMS, Australian Standards, and AUSTRROADS requirements.	Yes. A Traffic Report was previously submitted in support of the DA.
Chapter G22: Advertising Signs and Structures		
5.1.1 Matters for consideration	Signs should reinforce the architectural design of the building or its streetscape.	Yes. One sign is proposed which reflects the design of the building and will add a further visual element to the streetscape.
5.1.2 Shape	Offer an alternative to a traditional square or rectangle sign. Signage can be designed into a wide range of shapes to produce a unique design.	Yes. The sign proposed is representative of traditional wall signs and deemed responsive to the sites need to identity it as a business/retirement village.
5.1.3 Determining suitable sign locations for buildings	Identify appropriate locations (or opportunities) for signage that fits the form of the building façade.	Yes. The location of the sign is identified in the elevations prepared by Stephen Jones & Associates.
5.1.6 Design, construction and maintenance	Signs are be simple, clear and efficient but it should inspire confidence in the business or product advertised.	Yes. The sign proposed is efficient and clear to ensure a proliferation of signage on the clubhouse is avoided.

Table 4: Shoalhaven DCP Compliance Table		
Clause	Requirement	Complies - Comment
	Maintenance of signs should be as easy as possible.	Yes. Given the structures proposed, limited maintenance is required.
	Signs should also be located to discourage vandalism and avoid impact from footpath maintenance vehicles	Yes. The sign is located in areas of high passive surveillance and pedestrian/vehicle movement.

4.2 Built Form an Urban Design

The proposed development as amended is compatible with existing development in terms of its use and bulk and scale relationships. The project has evolved following detailed consideration of the site and its context. The development provides the opportunity to create a development that responds to the site’s context, its environmental characteristics and also its local heritage.

The amended development has been designed with strong regard to its unique setting and the development been positioned to complement the existing natural features of the site and capitalise on existing vegetation.

Of particular note, the proposed transition zone (comprising of parklands and gardens) forms a natural extension of the adjacent woodland and will integrate the new building with the existing landscape.

4.3 Accessibility

An assessment of the amended proposal against the relevant Australian Standards, provisions from the Building Code of Australia (BCA), Shoalhaven DCP 2014 and the Commonwealth Disability Discrimination Act (DDA) has been undertaken.

Stephen Jones and Associates has confirmed that the proposal has accessible paths of travel that are continuous throughout and with the implementation of the specified recommendations in the detailed design of the development; the proposal can achieve the appropriate degree of accessibility. Blackett Maguire & Goldsmith have also prepared a Compliance Report for the aged care facility detailing its ability to meet standards, which was submitted with the original application.

4.4 Safety, Security and Crime Prevention

The following section outlines CPTED principles and uses these to assess the Amended Architectural Plans for the proposed development. This assessment has been undertaken in accordance with the NSW Government’s CPTED principles (outlined below), and the requirements of the Shoalhaven DCP 2014.

There are a number of criteria to be considered when assessing Crime Prevention through Environmental Design (CPTED) as part of a development application. As stated by the NSW Government, CPTED aims to influence the design and management of buildings and places by:

- Increasing the perception of risk to criminals by increasing the possibility of detection, challenge and Capture.
- Increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended.
- Reducing the potential rewards of crime by minimising, removing or concealing ‘crime benefits’.
- Removing conditions that create confusion about required norms of behaviour.

To that end, the four key principles to minimise the opportunity for Crime are outlined in the table below:

Table 5: CPTED Principles		
No.	PRINCIPLE	DEFINITION
1	Natural Surveillance	Involves maximising opportunities for passers-by or residents to observe what happens in an area (the ‘safety in numbers’ concept). This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting. Natural surveillance is a by-product of well-planned, well-designed and well-used space. Higher risk locations can also benefit from organised surveillance, which involves the introduction of formal measures such as on-site security guards or CCTV.
2	Access control	Control of who enters an area so that unauthorised people are excluded, for instance, via physical barriers such as fences, grills etc.
3	Territorial reinforcement /ownership	People are more likely to protect territory they feel they own and have a certain respect for the territory of others. This can be expressed through installation of fences, paving, signs, good maintenance and landscaping. Territoriality relates to the way in which a community has ownership over a space.
4	Space management	Ensures that space is appropriately utilised and cared for. Space management strategies include: activity coordination (i.e. having a specific plan for the way different types of activities are carried out in space), site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out lighting and the removal or refurbishment of decayed physical elements.

Car Parking Areas

Car parking areas are typically common spaces for offences against property or persons. Relevant CPTED considerations for car parks include: access control, providing visibility, ensuring safe access for cars and pedestrians, and discouraging loitering. The subject DA proposes the following measures:

- Adequate lighting compliant with AS1158 will be provided throughout car park, including at all car park entry/exit points and loading/unloading areas;
- Clear demarcation of pedestrian walkways throughout the car park to avoid conflicts with vehicles is provided through line marking and signage; and
- Safe parking signage throughout car park to remind people to secure their cars and valuables will be installed prior to the occupation of the development.

Entry and Exit Points

Entry and exit points are a key consideration for CPTED assessments because of the interface they provide with the surrounding area. Relevant CPTED considerations for entry and exit points include: access control, providing visibility, ensuring safe access for cars and pedestrians, and discouraging loitering. The subject DA proposes the following measures:

- Adequate lighting at all entry and entry points is proposed;
- All entry/exit points are aesthetic and inviting and the landscaping, building position and activities are all orientated to maximise natural surveillance on entry/exist.
- Ground level landscaping has been selected so that it does not provide areas of concealment.

Internal Layouts

Key internal layout considerations in regards to CPTED include interfaces between public and private space; and the existence of 'dead space', 'areas of entrapment' and 'areas of concealment'. The subject DA proposes the following measures:

- The design of new internal spaces does not create 'areas of entrapment or concealment, particularly in toilets and accessways;
- All unit entries have good sight lines, are well lit and are in areas with ample room for access.
- Clear definition between public and private access areas are created using signage and secure doors.

External Areas

Key external layout considerations in regard to CPTED include visibility, activation and prevention of vandalism and graffiti. The subject DA proposes the following measures:

- All external areas of the building are proposed to be well lit, particularly at night.
- No opportunities for concealment are provided by external building design or landscaping based on the design and plant selection.

As identified above, the proposed development as amended has been designed with regard to the principles of Crime Prevention Through Environmental Design. Landscaped areas within the development site will be maintained to a good standard. Clear delineation between public and private areas is proposed. Lighting that complies with AS1158 will be used. Car parking areas will be well lit at night and are in easy walking distance of the building.

The proposed development is therefore considered compliant with the requirements of CPTED.

4.5 Construction Management

The construction of the proposed development will be in accordance with the conditions of consent and will be managed to ensure site safety and the minimisation of adverse environmental impacts.

Stephen Jones & Associates has outlined the amount of waste to be reused or recycled during the demolition and construction phases of the project. Strategies for the storage and collection of waste from the site during this period have been proposed, and will continue to be refined during the detailed design development stages of the project.

Based on Council's Policy for Waste Minimisation, Stephen Jones & Associates has confirmed the expected levels of waste to be generated and required number of bins. It has been confirmed that the waste storage rooms proposed can accommodate the required number of bins. The Waste Management Plan will continue to be refined during the project to ensure the adaptive and appropriate management of waste.

4.6 Social and Economic Impacts

The development of seniors housing will bring with it a number of important social and economic benefits for the local and wider community as outlined below.

- Enable Milton to continue to meet the needs of residents. The applicant wishes to create a development that it is keeping with the overall character of Milton and its surrounds;
- Promote enhanced neighbourhood safety and security through casual surveillance generated by the presence of a permanent new development and activity within the site;
- Provide short-term and long-term economic benefits through construction expenditure and employment; and

- Provide housing for seniors or those with a disability in an area that is in close proximity to range of services and facilities and provide a development that is capable of providing unique setting allowing resident access to a range of on-site services and facilities.

4.7 Site Suitability

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

- An additional permitted use has been specifically placed on the site to allow a seniors housing development;
- the size and dimensions of the land are appropriate for accommodating the proposal in its current form;
- it will deliver a development that positively responds to the streetscape and is compatible in size and siting with surrounding existing developments;
- it provides a well-designed seniors' living development;
- it will contribute towards the safety and security of the area by encouraging daytime activity and informal surveillance;
- it is afforded a high level of access to existing infrastructure such as regional roads and bus networks; and
- it is generally consistent with the Shoalhaven DCP 2014, objectives and provisions of both the Senior Housing SEPP, SEPP 65 and Shoalhaven LEP 2014.

4.8 Public Interest

The proposal will facilitate the development of the site by providing a new high-quality seniors housing development which achieves design excellence. It is in the public interest to reinforce the importance of this location as a suitable seniors' living site. Generally, the proposal provides the following public benefits:

- providing a development with no adverse overshadowing or significant view loss impacts;
- Enhancing the overall built form of the site and landscape response, responding to its location, the existing character of the area and better utilising sites opportunities and
- Improves the relationship between the site and surrounding area by directly addressing all the site's frontages, minimising inactive uses above ground, and enhancing the connections to surrounding natural features; and

- Sufficiently provides for onsite parking for all activities in line with relevant State, local and industry standards, and will not adversely impact upon the local traffic network.

5.0 Conclusion

This proposal seeks approval for the construction of a seniors housing development at Windward Way, Milton. The proposal is generally consistent with the relevant environmental planning instruments, including the Shoalhaven LEP 2014 and Shoalhaven DCP 2014, and is the product of collaborative work between Council, the project team and other key stakeholders.

The proposal will directly contribute to the provision of a well-designed senior's housing development in the Shoalhaven LGA. The amended development has significant planning merit in the following respects:

- the scale, massing and height of the building is appropriate for the site and its context, respecting and enhancing the site in terms of heights, setbacks and the overall positioning of the units;
- design excellence has been achieved through a high-quality architectural design;
- there are no significant adverse impacts on surrounding properties in terms of sunlight access, views, visual and acoustic privacy.

Having regard to the above, and in light of the relevant heads of consideration listed under Section 4.15 of the *Environmental Planning and Assessment Act, 1979* the proposal is reasonable and appropriate and warrants favourable consideration.



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