

## Summary of residents' concerns and Council response

### 1 Location of submitters



= individual submitter



### 2 Consideration of issues raised

Issue	Our comment/response	Quote from applicant's response
Inappropriate location given the surrounding residential nature and its proximity to a school	The subject site is unzoned land and is owned by the Western Sydney Parklands Trust, but has been leased to Council for 50 years for community purposes. According to SEPP (Western Sydney Parklands) 2009, a community facility is a permissible use in the Eastern Road Sports Precinct, with development consent. <b>Attachment 6</b> contains a full assessment of the proposal's compatibility with the surrounding development, and it is found satisfactory. The proposal is therefore considered suitable for the site, subject to full compliance with the recommended conditions of consent.	The proposal is consistent with the objectives of the SEPP, delivering social infrastructure that provides beneficial services to the residents of Western Sydney and potentially beyond – a trauma recovery centre for children dealing with homicide. The single storey nature of the proposed development is sympathetic to the low density residential development north of the site. There is no overshadowing and limited visual and aural privacy impacts as a result of the proposal upon the adjoining residents, and any impacts are mitigated through landscaping, or tactically locating 'non-active' rooms towards the northern boundary of the site.

<p>The proposal is a commercial development with operational hours likely to be 24 hours 7 days a week, which is unsuitable in a residential setting</p>	<p>The proposed facility is a child- focused centre for the rehabilitation of homicide victims. It is a non-profit organisation which is administered by a support group, and is therefore not considered a commercial use. The operational hours are 8.30 am – 6.30 pm Mondays – Fridays, 9.30 am – 4 pm on Saturdays and Sundays.</p> <p>The visitor accommodation will provide for overnight accommodation, with use of the facility restricted to the children and their families, who will have to adhere to the requirements of the Plan of Management to ensure that the surrounding residential amenity is maintained.</p>	<p>Office hours will be Monday – Friday 8.30 to 6.30 pm for all office, admin and program activities. The HVSG closes on Public Holidays.</p> <p>The HVSG will be operated by a minimum of 10 staff (5 counselling staff, 5 administrative staff), including volunteers, management committee members and allied health service providers at any one time.</p> <p>Not all staff arrive at the same time. The arrivals are usually staggered between the hours of 8 am to 10 am. Full-time staff work for 8 hours a day and will be responsible for the visitor policy e.g. visitors not permitted after 10 pm, visitor sign in, behaviour, contact with children who are not related.</p> <p>The after-hour access will be limited to the site's south access only for both entry and exit, to minimise any noise from vehicles traversing through the site near the neighbours to the northern boundary.</p> <p>There will be no family members admitted into Grace's Place after hours for counselling and program participation, this will all be done throughout the designated office hours. This is because we need to have the administrative office open and the appropriate staff available for induction and familiarisation of facilities. There will be no full-time residents at Grace's Place.</p> <p>There will be no deliveries accepted before or after the designated hours of operation generally, unless this has been organised previously and this will not be a normal occurrence.</p> <p>Grace's Place will be a place for counselling, therapy programs and administration, there will be no other business held there unless a permit has been sought and granted by Council.</p>
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<p>The subject site was donated to Council to remain as a park for the Returned Service Personnel and their families as the surrounding houses are resided by these personnel, therefore not to be built on, also due to the reason of close proximity to large power lines and towers, and the natural drain flow in the land formation</p>	<p>There is no provision in the SEPP (Western Sydney Parklands) 2009 regarding any specific or dedicated use of Kareela Reserve for returned service personnel.</p> <p>The proposed building height is approximately 6.5 m and will not obstruct the existing power lines. The buildings are clear of the power lines and easement. The developer will need to liaise with the relevant network providers before proceeding. The proposal was referred to Sydney Water and Endeavour Energy and they raised no concern subject to conditions. Also, Council's engineers have provided conditions to ensure that the development provides adequate drainage that will not impact on the surrounding properties.</p>	<p>The site is owned by Western Sydney Parklands (WSP) as identified by State Environmental Planning Policy (Western Sydney Parklands) 2009 which has head sublease agreement between Blacktown City Council. A new sublease agreement has been made between WSP and HVSG for the proposal, which protects the public domain by increasing passive surveillance to Doonside Road and the Parklands.</p> <p>The site is not identified as flood prone land and there is no evidence of wetlands present. However it is located within an overland flow path and flood modelling has accompanied the submission to address any concerns.</p>
<p>View restriction from the proposed building of 6 m high</p>	<p>The submission does not define or specify any view object, and a precise assessment on this point cannot be made. Nevertheless, the proposal is approximately 6.5 m in height with its bulk distributed throughout the site. View pockets to the eastern side of the reserve and to Eastern Road are maintained. There will be no unreasonable view loss resulting from this development.</p>	<p>The community facility, comprising single storey pavilions or arms have a maximum height of 6.5 m including roof, which is less than the height of 2 storey dwellings to the north-west.</p>
<p>Noise issue from children</p>	<p>The noise impact from a maximum of 12 children on the site is assessed as minimal. This is not a commercial activity or a venue that will be encouraging activities likely to generate unacceptable noise. Council will require a revised Plan of Management which includes noise management outside office hours.</p>	<p>Landscape will be used as a buffer along the site's northern and eastern boundaries, both to mitigate visual and acoustic impacts of the proposal upon the adjoining low density residential dwellings, and to provide a visual and acoustic buffer to Doonside Road.</p> <p>Generally speaking there will be no more than 12 children at Grace's Place in residence at any one time. We will have a noise policy and times of outside activities to coincide with opening office hours.</p>

<p>The proposed building is too close to the surrounding existing houses</p>	<p>The minimum requirement for a side setback according to Blacktown DCP 2015 is 2.3 m (this is a rule of thumb given the DCP does not apply to the site managed by the Western Sydney Parklands Trust). The proposed nearest building, which is the office arm, is 10.5 m to the north-western boundary, and is therefore not considered to be close to the existing houses.</p>	<p>There is a variable setback along the northern boundary (R2 residential zone). The average setback is 12.1 m to the boundary. A typical residential setback would be 2.3 m minimum in Blacktown City Council's DCP 2015.</p>
<p>Provision of 34 car parking spaces will create about 100 people on the site which will create noise impacts</p>	<p>Council requires a revised Plan of Management which includes a car parking policy. This will require a security gate to ensure the venue is secure after hours and visitor parking spaces are located away from the northern boundary.</p> <p>In saying that, it should be noted that the maximum number of children to be allowed receiving counselling in the facility is 12. The minimum number of staff is 10 according to the applicant's information and, accordingly, will be conditioned not to exceed 35 staff (including the caretaker) to ensure adequate parking is provided. The site is also in close proximity to public transport and Doonside Railway Station is nearby.</p>	<p>The 12 car spaces directly adjoining residential dwellings are allocated to staff parking which will minimise traffic movements and noise in this area. In addition, the more frequent visitor parking spaces are located approximately 30 m away from northern boundary with minimum 1.2 m landscaped buffer to mitigate visual and acoustic impacts of the proposal upon the adjoining low density dwellings. A security gate will be installed to ensure the after hours component is secure and prevent additional acoustic impacts.</p>
<p>The development will be directly adjoining the rear fences of Nos. 2, 4, 6 and 8 Kareela Street and 36 Doonside Road. There was supposed to be a road in between the fences and the park</p>	<p>The site is not identified on our mapping to be developed for a road in between the neighbouring rear boundary fences and the park. Council's Asset and Property Unit has not raised any concern in this regard.</p>	
<p>Victims of homicide are also crown witnesses and the perpetrator will try to silence them. These victims also come from situations where drugs and firearms are everyday life, creating an unsafe environment (ie. drive-by shootings), for children to be around especially nearby a school</p>	<p>This is not a valid town planning consideration. NSW Police raised no objection to the proposed facility.</p>	<p>Family members of homicide victims have a very important role in the criminal justice system, whilst some are witnesses for the crown the majority of family members we support have one interaction with the trial process and that is to give a victim impact statement if they so wish. Rarely are children crown witnesses. Children are very much protected and give their evidence in a closed court or in private.</p>

<p>Newspaper article indicates a 24 hour operation of the facility and not 8 am – 5 pm</p>	<p>The proposal consists of 2 components:</p> <ol style="list-style-type: none"> <li>1. The counselling and support services, which is 8.30 am to 6.30 pm.</li> </ol> <p>We are of the view that the closing time should be 5.30 pm and not 6.30 pm.</p> <ol style="list-style-type: none"> <li>2. The ancillary accommodation will be a 24 hour operation. The applicant indicates that no visitor will be admitted past 10 pm.</li> </ol> <p>We are of the view that 10 pm is too late and that visitors should cease entry by 8.30 pm.</p> <p>Appropriate consent conditions will be imposed accordingly.</p>	<p>Office hours will be Monday – Friday 8.30 to 6 pm for all office, admin and programme activities. The HVSG closes for Public Holidays.</p> <p>Visitor policy e.g. visitors not permitted after 10 pm, visitor sign in, behaviour, contact with children who are not related.</p> <p>The after-hours access will be limited to the site south access only for both entry and exit to minimise any noise from vehicles traversing through the site near the neighbours to the northern boundary.</p> <p>Grace's Place will not be operational 24 hours a day, there will be family members staying overnight, but nobody will be living there fulltime. Children and their families will come to Grace's Place for counselling and program participation that will occur during office opening hours and will stay overnight for a minimum of 3-4 days but no more than 5-6 depending on the program and counselling needs of the family. Family members who will attend Grace's Place will be from rural NSW, Australia or overseas where there is a connection to NSW.</p> <p>Grace's Place will not be a respite or emergency facility.</p>
<p>Concern with noise and traffic levels during construction and during operational hours which is likely 24 hours a day</p>	<p>The proposed office facility does not operate for 24 hours a day, but the ancillary accommodation will operate 24/7. A suitable Plan of Management will be required to detail the operational side of this facility, which will include noise mitigation and car parking measures.</p> <p>As a standard practice, construction work is allowed between 7 am and 6 pm, Monday to Friday, and 8 am to 1 pm, Saturday, and no work to be undertaken at any time on Sunday or a public holiday, which will be included in the consent condition.</p>	<p>Any potential construction noise and vibration impacts will be mitigated in accordance with the recommendations of the Acoustic Report.</p>

<p>The plans do not show a granny flat at No. 2 Kareela St currently under construction which will be sited very close (approximately 5 m from the plan submitted by the neighbour) to the garbage collection area. This area should attract flies and insects, and may affect tenants and their privacy. Recommend that the garbage collection area be relocated away</p>	<p>The garbage area is proposed to be enclosed. To improve general amenity, a consent condition will be imposed to enclose the back and sides, as well as increasing the height of the enclosure to the closing lid, with brick materials.</p>	<p>3,451 mm is the average setback of the proposed waste area. It has now been further setback than the original submission by approximately 2 m to allow for a landscape buffer in between.</p>
<p>A better site to locate this facility will be next to the sub-station on Eastern Road</p>	<p>The current site is suitable for the proposed facility given its proximity to Doonside Railway Station and bus stops. This part of the site is flood free and is able to be developed for this use.</p>	
<p>Concern about traffic congestion, noise impact and disruptions on Mountview Avenue, Doonside Road and Kildare Road which have become drop off and pick up zones for the 2 schools and this facility will worsen the situation, especially during school set down and pick up hours, and also from the current construction in Bungarribee</p>	<p>The proposed car parking spaces to be provided on the site are sufficient to accommodate all visitors and staff of Grace's Place. Traffic overflow is considered by Council's Traffic Engineer to be satisfactory and unlikely to worsen the current situation. Public transport is also accessible from the site.</p>	
<p>Value of property will decrease significantly</p>	<p>The proposed facility is suitable for the site, and no evidence has been provided that property values will decrease.</p>	
<p>Light spill for CCTV cameras is intrusive if turned on for the whole night</p>	<p>NSW Police has recommended a lighting maintenance policy to be established for the development, and that lighting used in the carpark areas should illuminate continuously in hours of darkness. The extent of illumination could be adjusted to reduce glare on the adjoining properties. Also, any CCTV is to be limited to the subject site and not to the adjoining residential sites. This will be conditioned on the consent.</p>	



Victims at Grace's Place will end up on social media as the school children opposite the subject site should have mobile phones	This is not a valid town planning consideration.	<p>We have a policy in regard to social media for the HVSG and its members.</p> <p>Children and families who attend Grace's Place will be anonymous. No public notice will be made of who is attending Grace's Place at any time.</p> <p>All family members who come to Grace's Place will come through gates and secured doors that will not be accessible to the public.</p>
Kareela Reserve is better suited for a playing field or additional classrooms as the opposite school grows	The proposed development for a community facility will provide a temporary refuge for the children of homicide victims. This is a permissible use according to the SEPP (Western Sydney Parklands) 2009.	Existing playgrounds to the west of the proposal will be maintained and untouched for betterment of the community.
Concerns on privacy and safety of the area	The proposed surveillance measures, together with the recommended conditions from the Police, and a suitable Plan of Management, will ensure that the facility maintains privacy and the safety of the surrounding area.	Premises will provide fencing surrounding the perimeter to ensure privacy and safety to the facility and surrounding properties.
Concern for excavation that will expose surrounding residents to dust and hazardous materials, especially as this reserve was a dumping place for unknown materials	Suitable conditions shall be imposed to ensure that the management methods for dealing with any hazardous material are to meet the EPA and the National Environment Protection Measures 2013.	A remediation action plan (RAP) will be conducted to ensure compliance to standards to ensure the site is safe and remediated prior to construction.
The development will ruin sleep pattern and affect health in the long run for afternoon workers	<p>An acoustic report was submitted by the applicant and considered by Council's Environmental Health Officer as satisfactory. The proposed noise impacts will be mitigated to comply with the Australian Standard to suit the residential setting of the area.</p> <p>We propose to limit staff activities to 5.30 pm and visitors' entry to the accommodation to 8.30 pm to minimise any impact on neighbouring dwellings.</p> <p>The car parking along the residential boundary is to cease operation by 5.30 pm, and a consent condition will be included to construct a 2.1 m high boundary fence adjoining all its residential neighbours at the applicant's cost prior to the issue of the Occupation Certificate. All these matters will be included in the conditions.</p>	

The development will impact on residents' enjoyment	No evidence has been submitted to indicate how the use will impact on the enjoyment of neighbours' properties. Subject to the conditions being implemented by the applicant during construction and the operation of the facility, the proposed development is unlikely to detrimentally impact on general residential amenity.	
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