

25 October 2019

**Our Ref:** P-16121

**Central Coast Council (Gosford Office)**

PO Box 21  
Gosford NSW 2250

Attention: Karen Hanratty

Dear Karen,

**RE: NO. 290 AVOCA DRIVE KINCUMBER - DA 52671/2019  
RESPONSE TO REQUEST FOR FURTHER INFORMATION**

I refer to your letter dated 1 August 2019 requesting that additional information (RFI) be submitted to assist in the assessment and determination of the above Development Application for a Residential Aged Care Facility (RACF) on the subject land.

To respond to the matters raised, a number of minor but significant changes to the proposal have been undertaken, and advice obtained from the project's specialist consultants.

Overall, we consider that the submitted information demonstrates the site's suitability to accommodate the proposed RACF development and we feel the information provided should satisfy all concerns raised.

For ease of reference, this letter addresses the points raised in the RFI in seriatim.

**Issue 1. Development of the site within the E3 Environmental Management Zone.**

*Seniors housing development is not a permitted use within the portion of the site zoned E3 Environmental Management under Gosford Local Environmental Plan 2014 (GLEP 2014). In this regard, no ancillary development for the use of the Residential Care Facility is to occur within this portion of the site and the proposal and plans are to be amended accordingly.*

- Removal of the pedestrian pathway.
- Retain all trees, diseased or not, on this portion of the site. Note: An Ecological Report will be required to substantiate the removal of trees on this portion of the site.
- The existing fire trail is not required for the proposal and should remain as currently exists without further upgrade.
- Relocate the proposed business identification sign.
- Provide legal advice if works are proposed on this portion of the site particularly for tree removal/fire trail upgrade.

Comment:

To satisfy this matter, the proposal has been amended and all ancillary works are now located upon that part of the site zoned R2. No buildings, structures or ancillary development is to occur in the E3 zone.

A summary of the relevant changes to the architectural plans (provided at **Annexure A**) is provided below. Note that a 'clouded' version of the architectural plans, indicating where changes are proposed from the originally-lodged plans, is also included for ease of reference at **Annexure B**.

- The previously proposed pedestrian pathway has been removed from the E3 zoned land (see response to Issue 4 in this letter with regard to amended pedestrian access arrangements).
- No tree removal is proposed within the E3 zoned portion of the site. This is also confirmed within the updated landscape documentation at **Annexure C**, and addressed within the amended arborist report at **Annexure E**.
- The existing fire trail is now to remain in its current state, without further upgrade.
- The proposed business identification sign along Avoca Drive will be relocated away from the E3 zoned land (see response to Issue 5 in this letter for further details).

## 2. Context and Character / Height, Bulk and Scale

*Submit additional commentary demonstrating the proposal is consistent with the context and desired character of the area as the 'height exceeds (13.8m compared to 8m ceiling) and number of storeys controls with 3-4 storeys proposed in a low scale area'.*

Comment:

A collaborative design process driven by a number of subject matter experts, including Council, has resulted in the revision and refinement of the architectural plans submitted with the DA for the proposed development. The overarching aim of the design process was to ensure the new RACF building would be suitably consistent with the surrounding natural and built environment.

The project has sought to respect the existing character of the locality, enhancing the green corridors of both Avoca and Scaysbrook Drives. This has been made possible by employing a condensed footprint for the building that has enabled the creation of a connected landscaped green area encircling the development and merging with the adjoining E3 zone.

Potential building height impacts have been addressed with the retention of existing - and the provision of additional - landscaping, centralising of the building's location, and targeted earthworks to provide for layers of landscaping and the 'stepping' of the development down the natural slope.

The built form is visually broken up so that it does not appear as one large building from key aspects, including the adjoining residential properties and the public domain. Rather, the design seeks to provide an innovative 'Z' shaped design solution that ensures the new RACF appropriately and respectfully addresses both Avoca Drive and Scaysbrook Drive. In doing so, the development seeks to maintain a residential address to both frontages whilst ensuring the bulk of the building, positioned towards the centre of the site, is contextually appropriate to its immediate environs.

A single-storey 'front of house' or administration wing has also been positioned on the eastern side of the RACF building. This single-storey element further assists in minimising the scale and massing of the RACF

when viewed from Avoca Drive. In addition, the stepped building alignment effectively serves to articulate the façade's massing, define the street edge and contribute to the landscape setting of buildings.

Due to the sloping topography, proposed landscaping and retention of street trees, the building and its roof form present as approximately 2-storeys from Avoca Drive. Whilst the building form is at 3 to 4-storeys fronting Scaysbrook Drive, it is significantly setback from the boundary (ranging from around 28m to 39m). Combined with the significant landscaping proposed, including the construction of landscaped mounding around the building façade, these measures serve to effectively screen and soften the appearance of bulk and scale from the street.

The inclusion of a number of courtyards between the wings of the RACF building also serve to 'break up' the building's apparent bulk, thereby ensuring the roofline around the buildings outer edge does not unreasonably intrude into the streetscape or the skyline

The building is proportionally articulated encompassing a number of indentations along the northern and southern facades. These combined with the careful application of a variety of external materials, colours and finishes will accentuate the RACF architectural design elements, whilst assisting in reducing its perceived bulk and scale.

Extensive building setbacks have been provided to the Scaysbrook Drive site frontage, as outlined above. Moreover, the nearest residential development along Scaysbrook Drive is located approximately 41m from the proposed building. The extensive setback along this alignment has been designed to reduce the visual impact of the southern wing and allow for 50% of the site to be landscaped area.

The proposed building has been setback over 10m from Avoca Drive, thereby ensuring views to and from Avoca Drive, from the subject site and adjoining lands, are maintained and a suitable area is provided for landscaping.

Taller building elements have been largely located in the centre of the site or in areas where generous setbacks can be provided so as to minimise the visual scale of the building. This design approach also has the added benefit of:

- Effectively reducing potential adverse amenity impacts on neighbouring residential development;
- Enables larger setbacks and areas for enhancement of deep soil landscaping;
- Largely retains the natural contours of the land; and
- Retains a streetscape to both the Scaysbrook and Avoca Drive frontages that will be dominated by a sustainable bio-rich landscape.

The careful positioning of the RACF building also ensures that the majority of existing mature vegetation elements along Scaysbrook Drive (i.e. those located in the south-west section of the site) will be retained. The existing landscaped setback contains a number of structural layers, and this assists in providing an effective soft 'green screen' to this frontage. The retained trees and proposed trees (as indicated in the landscape documentation at **Annexure C**) will serve to obscure and soften the bulk and scale of the proposed built form when viewed from Scaysbrook Drive. Native groundcover, shrubs and bushes will also be established in the new garden beds below the existing trees, to further screen the building and enhance streetscape amenity.

These soft and hard design elements together will assist to further soften the view of the new RACF building, thereby ensuring the development will not have a significant impact on the amenity of the locality.

Note that additional discussion of the proposal's consistency with the context and desired character of the area is provided within the amended Clause 4.6 Requests provided at **Annexures F** and **G**. These documents have been updated since the original DA submission in order to:

- Correct an error within the original '8m height plane' diagrams; and
- To ensure the documents continue to reflect the changing requirements for such Requests in line with recent Court decisions.

### 3. Communal Open Space

*Further attention is required to communal open space needs of dementia patients to that of general care patients. Consideration should be given to use of the extensive landscape areas to provide additional courtyards and seating that link with pedestrian access that is wheelchair accessible.*

#### Comment:

In response to the above, the following is noted:

#### **Dementia-affected Residents (Houses A and B)**

Houses A and B are to be located at ground level, and are to accommodate residents afflicted with dementia. The *Landscape Design Report* at **Annexure C** provides a detailed statement with regard to the specific landscape design philosophy for dementia-afflicted residents, including key design principles. In particular, resident safety, comfort and security are key drivers for landscape design for these vulnerable residents.

House B residents will be provided with direct, level access to a large, secure landscaped courtyard. A large proportion of the courtyard would benefit from good solar access throughout the year due to its northern / north-eastern orientation and separation from other building elements. All areas of the space would be wheelchair-accessible, and connections are available via communal dining and sitting rooms as well as directly from selected resident rooms. This open space provision is considered sufficient and appropriate for House B resident needs.

House A residents will also have direct, level access to a large, secure landscaped courtyard. However it is acknowledged that, due to this courtyard's position south of the building, solar access would not be optimal at all times of the year. In order to provide increased choice to residents, House A residents will also have access to a small, secure courtyard connected to the eastern façade of House A (directly accessible from the lounge), as well as a new small, secure courtyard along the northern façade of House A (directly accessible from a sitting room). These spaces provide enhanced solar access opportunities for residents.

Further, amendments to the landscaping plan now provide additional seating opportunities adjacent to the northern façade of House A, accessed via the disability-accessible pedestrian path and surrounded by lawn and landscaped gardens. Dementia-affected House A residents will be able to access this more-public area with supervision, providing further recreational choice.

Combined, it is considered that this communal open space provision is sufficient and appropriate for House A resident needs.

**General Residents (Houses C - F)**

Houses C - F are proposed to accommodate the remaining, non-dementia-afflicted RACF residents. The *Landscape Design Report* at **Annexure C** provides a statement with regard to the landscape design philosophy for 'general' residents.

Houses C - F are to be located above ground level. Accordingly, each House will be provided with access to multiple communal balconies of varying size, directly wheelchair-accessible from communal dining, lounge and sitting room spaces. These balconies are positioned on varying building facades for each House, ensuring that residents have choice of outlook and level of privacy, as well as opportunities to access sunlight, dependent on the time of day and season.

In addition, residents are able to access a secured, landscaped, ground-level courtyard on the western façade of the single-storey building element. This courtyard is wheelchair-accessible from the Houses via lifts and covered hallways, and is directly connected to the building's main entry and café area. This space provides a convenient and pleasant alternate meeting place for residents and their guests.

This open space provision is considered sufficient and appropriate for House C - F residents. However, in response to Council's concerns, the ground-level space between the single-storey element and House A is now proposed as a dedicated, secure courtyard for House C - F residents - see Figure 1 below. The space has been reconfigured to include a number of seating nodes, a roofed pergola / picnic setting, and gardens in order to further increase choice for residents. This courtyard is favourably oriented to the north to maximise winter sunlight, and will enjoy good passive surveillance from the gym, consulting rooms and administration offices. It will be accessible via the northern wing's fire stairs, or wheelchair-accessible via the lifts and covered hallways by way of the single-storey building element.

Generally, it is noted that residents of the RACF would be frail and aged, and generally very limited in mobility. Accordingly, the provision of extensive paths and further alternative courtyard spaces around the site is not likely to provide significant benefits to residents. Further, due to the site's sloping topography, such additional works would require extensive earthworks and likely a reduction in landscaped area, thereby increasing the environmental and visual impacts of the proposal.





Figure 1: Above: Image showing originally proposed ground level space (bordered in red), intended primarily as a landscaped break between buildings. Below: Amended image showing newly-designed landscaped courtyard for dedicated use by House C - F residents (bordered in red)

#### 4. Pedestrian Access

*Provide amended plans showing pedestrian access that is wheelchair accessible from the proposal to Avoca Drive and Scaysbrook Drive frontages within the R2 zoned portion of the site.*

##### Comment:

As outlined above, the previously proposed pedestrian ramp system within the E3-zoned portion of the site has been removed.

##### **Avoca Drive**

In order to accommodate pedestrian access between the R2-zoned portion of the site and Avoca Drive, the internal pedestrian network is now proposed generally as below:

- The pedestrian path to the north-east / east of the single-story building element (wholly within the R2-zoned area) will remain as previously proposed. This provides direct access between the building's main entry and Avoca Drive (and the bus stop) via a path (running north-south), stairs and pedestrian gate.
- The internal footpath running along the building's northern frontage (between the building and Avoca Drive) has been re-aligned and designed (see Figure 3 below) so that disability-accessible access can now be achieved between Avoca Drive and the building's main entry (note - the original design of this path, incorporating stairs, is shown in Figure 2).

Firstly, a pedestrian gate (north of House A) will provide ramped entry into the site from Avoca Drive. Users may then choose to enter House A directly southwards via stairs, or can proceed in an easterly direction along a series of 3 ramps (maximum grade 1:14, with associated handrails) and level paths towards the eastern side of the single-storey building element. Users would then proceed southwards along a level path before entering the single-storey building element via an entry in the eastern façade, providing direct, secure access into the building's reception area.

This new connection will be appropriately constructed in accordance with relevant BCA and Australian Standards for accessibility, including gradients, lighting, rails and tactile indicators.

Note that the proposal involves some upgrade works within the public domain of Avoca Drive to maximise accessibility to the bus stop. These works, outside the site boundaries, are shown conceptually in the development plans at **Annexure A**, and will be subject to detailed design at a later date. This issue is discussed further in the response to Issue 7 below.

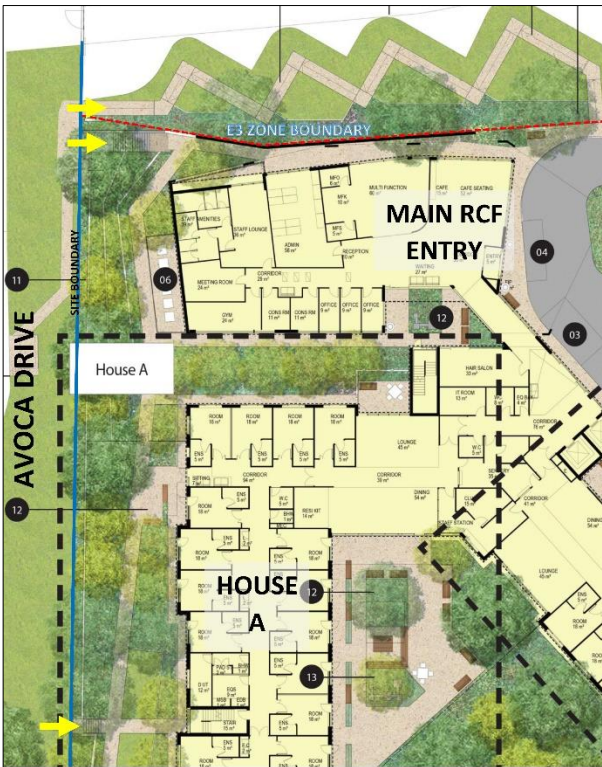


Figure 2: Originally proposed pedestrian access from Avoca Drive, including paths through the E3 zone. Pedestrian access points from Avoca Drive are shown with yellow arrows.

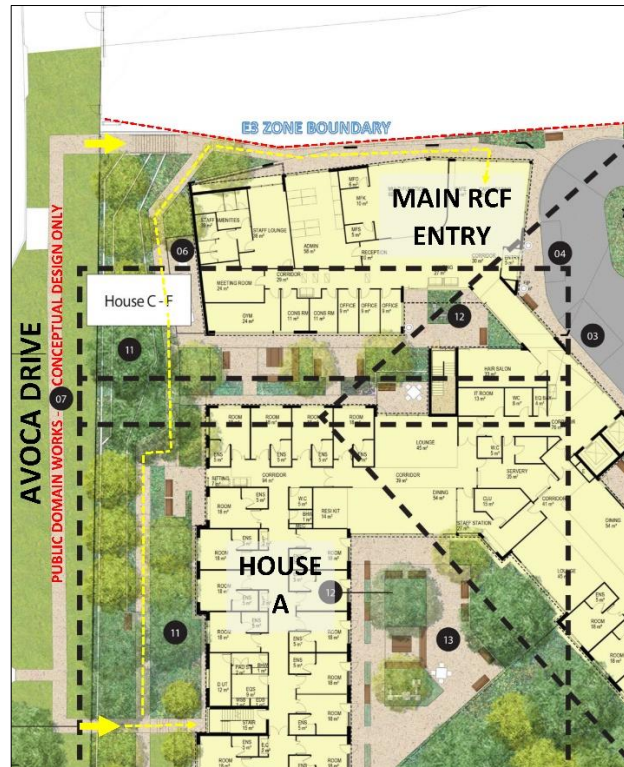


Figure 3: Amended proposed pedestrian access from Avoca Drive, including wheelchair accessible path to main RCF entry.. Pedestrian access points from Avoca Drive are shown with yellow arrows.

## Scaysbrook Drive

A wheelchair-accessible pedestrian pathway from Scaysbrook Drive linking directly to the ground floor level of the RACF building is not considered appropriate in this location for a number of reasons, including the following:

- The natural topography of the site, and in particular the relatively steep gradient rising up from the Scaysbrook Drive alignment. The construction of a wheelchair-accessible pathway would necessitate substantial and significant earthworks to be undertaken, which would consume areas of land for switchbacks and ramping. The works would also require the removal of several existing large trees and would compromise the ability to provide the bio-retention basin and additional enhancement screen plantings along the Scaysbrook Drive front setback.
- Any wheelchair-accessible pathway constructed in this location would, from a user's perspective, be lengthy, tiresome and monotonous to negotiate. The nature of the facility and the age and limited mobility of the likely users is noted.

It is noteworthy that Brentwood Village operates a minibus which can provide residents with transport to and from Brentwood Village to visit RACF residents.



In summary, the proposed pathway from this RACF to Scaysbrook Drive therefore includes a number of steps. For various reasons, including the minimisation of environmental and visual impacts, this is the preferable solution.

## 5. Signage

*Relocate the business identification sign at the Avoca Drive frontage to within the portion of the site zoned R2 Low Density Residential under GLEP 2014. It is considered a business identification sign should also be provided to the Scaysbrook Road Frontage.*

*Demonstrate the proposed signage meets the requirements of Schedule 1 of State Environmental Planning Policy No. 64 – Advertising and Signage and the criteria contained in the Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017) including, but not limited to, Section 3.3.3 Illumination and reflectance.*

### Comment:

#### **Signage Location**

The subject site has dual street frontages and two business identifications signs are now proposed, one on the Avoca Drive frontage and one on the Scaysbrook Drive alignment.

In addressing Council's concerns in respect of the Avoca Drive sign, it is now proposed to relocate it approximately 1m west of its original position. The new location is wholly within the boundaries of that part of the site zoned R2. An illustrative comparison of the two locations along the Avoca Drive frontage is depicted below in Figure 4 and Figure 5.

The proposed Scaysbrook Drive sign is to be positioned directly to the east of the access driveway, wholly within the boundaries of the subject site and on land zoned R2. Its location is demonstrated within the *Site Plan* and *Ground Floor Plan* at **Annexure A**.

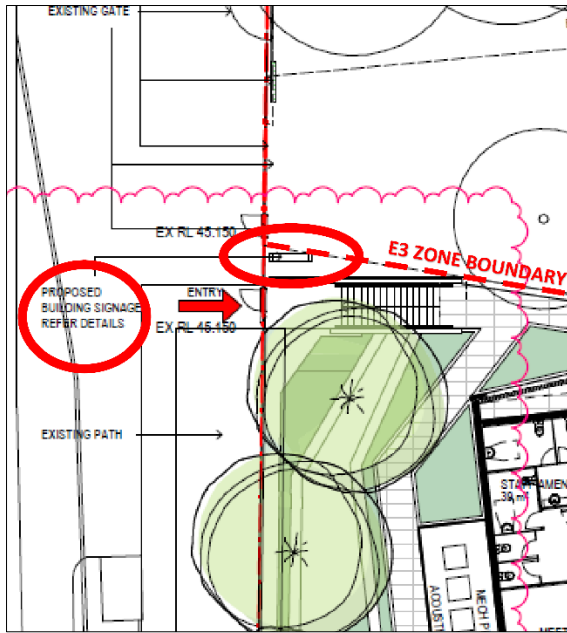


Figure 4: Proposed new location for the business identification sign (shown with red oval) adjacent to Avoca Drive, wholly on land zoned R2.

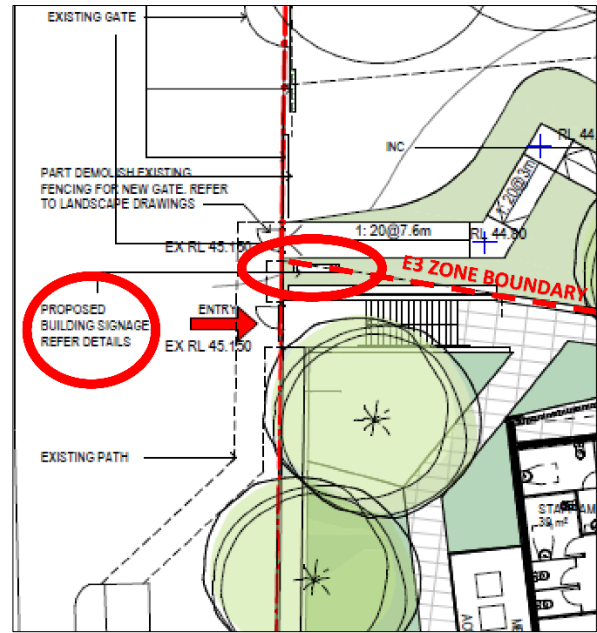


Figure 5: The original location for the business identification sign (shown with red oval) adjacent to Avoca Drive, partly located on land zoned R2 and E3.

## Signage Description

The 2 proposed business identification signs are to replace 2 existing (now demolished) signs previously positioned along the Avoca Drive and Scaysbrook Drive frontages.

The signs can be appropriately characterised as pylon signs. Each pylon is to have overall dimensions of 1.9m width x 4.2m height, with a total area of 7.98m<sup>2</sup>. However the overall signage 'display area' will be limited to approximately 3.7m<sup>2</sup>, with the remaining area comprising signage structure.

The proposed signs are to be constructed of a steel frame, wrapped in a lightweight pre-finished steel cladding and with a perspex signage lens. They will be internally illuminated to Australian Standards. It is noted that the proposed signs simply identify the name of the aged care facility, and display a business logo and the owner's name. An elevation of the proposed signage is provided at Figure 6 below.

The proposed signs have been assessed against the relevant provisions of SEPP 64 and Chapter 6.7 of Council's DCP, as discussed in the following sections.

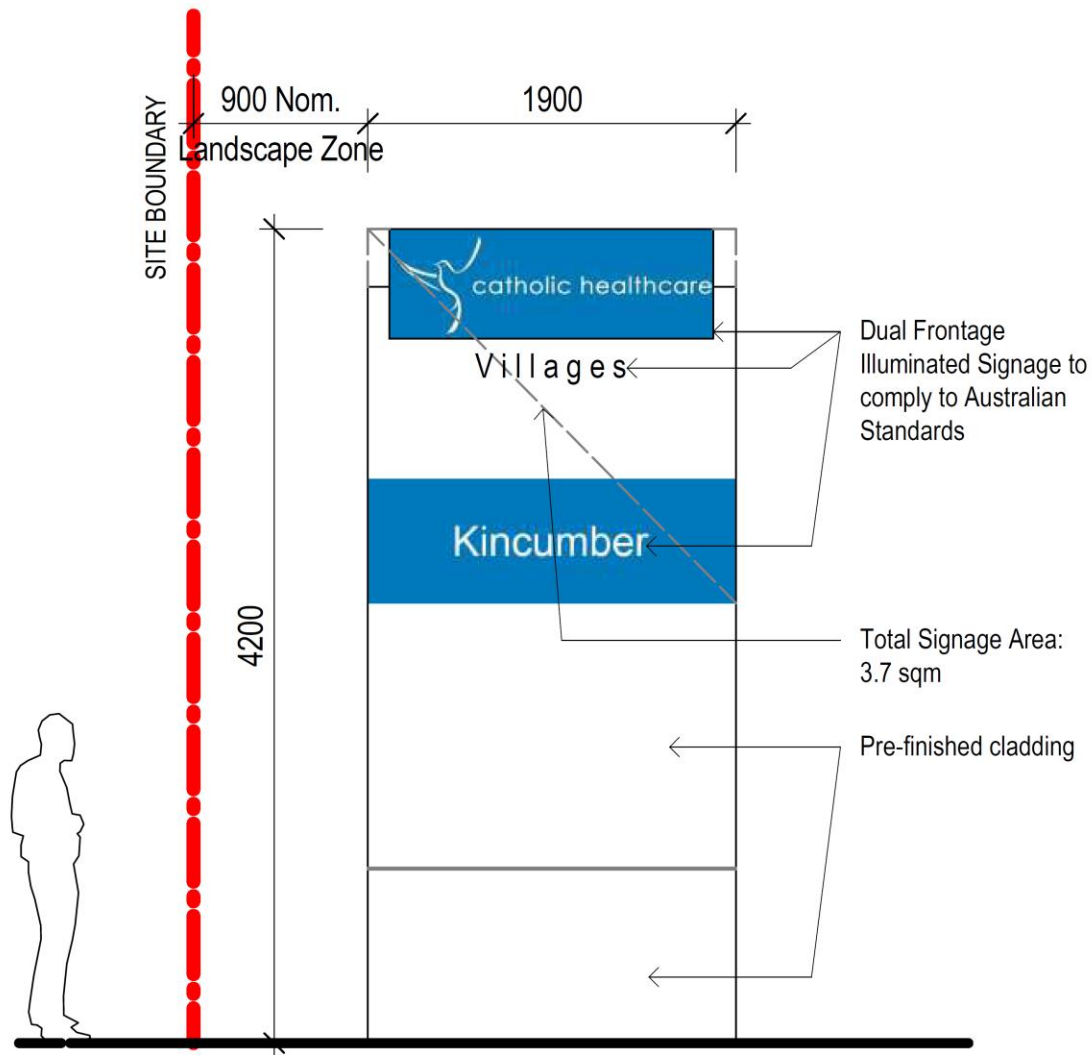


Figure 6: Typical elevation of proposed signage

### State Environmental Planning Policy No. 64 - Advertising and Signage

This SEPP aims to regulate the quality and positioning of signage, including advertising. It applies to all signage within NSW that is permissible with or without development consent under another environmental planning instrument, and that is visible from any public place.

#### Clause 3 - Aims and Objectives

The development proposal must have regard to the provisions, aims and objectives of SEPP 64. Relevant to this proposal, the Policy aims:

3(1)(a) to ensure that signage (including advertising):

- (i) is compatible with the desired amenity and visual character of an area, and
- (ii) provides effective communication in suitable locations, and
- (iii) is of high-quality design and finish...

The signage will be fully integrated into the site's two street frontages. The materials and form of the proposed signs are considered appropriate having regard to the site's urban bushland setting, and they are generally consistent with the nature and type of signage expected for an aged care facility. The signage will not detrimentally impact the visual amenity of the locality or pose a risk to public safety. Accordingly, the signage complies with the objectives of the SEPP.

#### **Schedule 1 Assessment Criteria**

Clause 8(b) provides that the proposed signage must satisfy the assessment criteria provided in Schedule 1 of the SEPP. Table 1 below demonstrates the proposal's satisfaction of these criteria.

Table 1: Compliance with SEPP 64's Schedule 1 Assessment Criteria

Clause	Comment	Comply
1. Character of the area	The signage materials, colours and style are subdued, and reflective of the nature of the proposed new RACF development. The signs are simple in nature, form and content, and respectful of their urban bushland setting. The signs are to be internally illuminated, producing a warm soft glow, rather than a harsh reflective light. Accordingly, the signs are considered to be compatible with the existing and desired character of the surrounding low to medium-density residential area.	✓
2. Special areas	The signage is not located near any environmentally sensitive areas, natural conservation areas or waterways. The signage is recessive and compatible with the area's 'urban bushland setting.	✓
3. Views and vistas	The proposed signage is located wholly within the boundaries of the subject site, on land zoned R2 Low Density Residential. Together the location, size and design of the proposed signs will ensure that they do not diminish existing vistas or intrude into view corridors currently enjoyed by adjoining residents or the passing public.	✓
4. Streetscape, setting or landscape	The colours, materials and font selected has been determined so as to respect the established streetscape and not distract from adjoining residential buildings.	✓



Clause	Comment	Comply
	The proposed signage will require minimal on-going vegetation management and does not protrude above, beyond or around any buildings.	
5. Site and building	The proposed signage is in proportion to the proposed building and the scale of the subject site.	✓
6. Associated devices & logos advertisements & advertising structures	The signs employ a simple two-tone colour scheme comprising a blue background and white lettering. A simple stylized logo completes the message board, which is to be internally illuminated to provide a soft glow respectful of the site's 'urban bushland' setting. There are no other specific devices or logos proposed.	✓
7. Illumination	The proposed signage will be internally illuminated. The white lettering will be illuminated against the dark blue background. The lighting will be soft and will not result in any adverse safety or amenity impacts. The signs will have a max 1200cd/sqm level of luminance.	✓
8. Safety	The proposed signage will be fully integrated into the principal access points into the aged care development and appropriately set back from the side of each respective thoroughfare.  The signage will not pose a safety risk to passing traffic or pedestrians.	✓

### Gosford Development Control Plan 2013

Advice from Council indicates that the proposal should more appropriately be assessed against the Gosford DCP, rather than the abovementioned Department of Planning's signage guidelines.

Chapter 3.7 ('Advertising Signage') of the Gosford DCP has been considered with regard to the proposed signage. Section 3.7.7.2 relates to 'Pole and Pylon Signs' and the proposal's compliance with each control is addressed below:

- (i) Complies - the signs will not project over either the Avoca Drive or Scaysbrook Drive road alignments.
- (ii) Complies - signs will not extend more than 6m in height above the ground (maximum height proposed is 4.2m).
- (iii) Complies - signs will not have an advertising area greater than 12m<sup>2</sup> where more than one advertising area is involved and a maximum of 6m<sup>2</sup> on any single advertising surface. Note - the signage is for business identification purposes only, and does not contain 'advertisements'. Regardless, the maximum signage display area would be 3.7m<sup>2</sup>.
- (iv) Complies - signs will not have any projecting parts lower than a height of 2.6m.

In summary, the proposal fully complies with the relevant controls pursuant to the DCP.

## 6. Environmental Health

a. Provide a Soil and Water Management Plan in accordance with Section 2.3 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004). The plan shall be prepared by a suitably qualified environmental/civil consultant. Section 9.3 of the Blue Book provides guidance on preparing a Soil and Water Management Plan for medium-density development. (Note: A Soil and Water Management Plan is a more comprehensive document than an Erosion and Sediment Control Plan).

At a minimum, the following information must be included in the SWMP:

- a site survey which identifies contours and approximate grades and the direction(s) of fall;
- locality of site and allotment boundaries;
- location of adjoining road(s) and all impervious surfaces;
- location of site within catchment including an estimate of flows through the site;
- existing vegetation and site drainage;
- nature and extent of clearing, excavation and filling;
- diversion of run off around disturbed areas;
- location and type of proposed erosion and sediment control measures;
- location of site access and stabilisation of site access;
- location of material stockpiles;
- location and engineering details with supporting design calculations for all necessary sediment retention basins;
- location and concept plans of proposed constructed wetlands/ gross pollutant traps,
- trash racks or trash collection / separator units;
- proposed site rehabilitation and landscaping;
- detailed staging of construction works (breaking down of catchment disturbed), and
- maintenance program for erosion and sediment control measures.

All design criteria and calculations used to size soil and water control measures shall be shown, and construction standard drawings are to be provided on each type of soil and water control measure proposed.

b. Provide a Noise, Vibration and Construction Management Plan, which details all risks and controls to reduce or eliminate impacts on neighbouring properties during the construction phase of the development.

### Comment:

A detailed *Soil and Water Management Plan* has been prepared by Wood & Grieve Engineers in accordance with Section 2.3 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004). The plan is attached at **Annexure H**.

Further, as requested by Council, a number of plans have been prepared detailing '*risks and controls to reduce or eliminate impacts on neighbouring properties during the construction phase*'. It is noted that these plans are conceptual only, and give general guidance on the expected management measures to be implemented. These plans would be refined at the detailed design stage.

- Project EHS Management Plan - see **Annexure I**.

- Supportive sub-plans comprising:
  - Management Plan – Stormwater and Erosion (**Annexure Ia**)
  - Management Plan – Emergency Response Plan (**Annexure Ib**)
  - Noise and Vibration Management Report (**Annexure Ic**)
  - Air Quality Management Sub Plan (**Annexure Id**)
  - Management Plan - Waste (**Annexure Ie**)
  - Traffic and Parking Management Plan (**Annexure If**)

## 7. Engineering

*Council's Development Engineer has reviewed the proposal in relation to road works, drainage, comments from NSW Roads and Maritime Services, Council's Traffic Engineer and provided conditions.*

*The following information is provided in relation to the scope of road works to be conditioned:*

### Road Works

*Avoca Drive is a two-way, two lane road. There is kerb and gutter within the site frontage only in the vicinity of where the pedestrian refuge is located. The footways are gravel on the southern side of the road and part gravel/grass and part vehicle crossings on the northern side of the road.*

*Kerb & gutter, road pavement works, and footpath connectivity will need to be constructed – refer also to comment from Roads & Maritime Services below.*

*Scaysbrook Drive is fully constructed with kerb & gutter on both sides of the road. No road works are required in Scaysbrook Drive in conjunction with this development.*

### Vehicular Access

*The development site presently has an existing formal vehicular access to Scaysbrook Drive. The development site also has two existing informal vehicular & emergency accesses to Avoca Drive that do not have access crossings constructed to a Council standard.*

*In Scaysbrook Drive it is proposed to slightly relocate the existing access road onto Scaysbrook Drive further to the east to increase visibility and to provide acceptable sightlines and distances in this location.*

*The application does not propose any new vehicular entries into the development from Avoca Drive. The redundant informal access in Avoca Drive is proposed to be removed, whilst the emergency access location in Avoca Drive is proposed to be retained.*

*A car park is proposed within the southern part of the site that is to be accessed via access point in Scaysbrook Drive.*

*The internal access and parking arrangements are to comply with AS2890. The proposal will enable all vehicles (including cars, service vehicles, waste vehicles, & emergency vehicles) to enter and exit the development in a forward direction.*

### Pedestrian Access

*The development proposes three pedestrian entry points into the development from the Avoca Drive frontage. There is no existing footpath across the site frontage on the southern side of Avoca Drive. A concrete footpath path will be required on the southern side of Avoca Drive that connects all three pedestrian entry points to the bus stop and pram ramp associated with the pedestrian refuge.*

*On the northern side of Avoca Drive (i.e. the opposite side of the road from the development site), there is no formal pedestrian network that would facilitate proper pedestrian movements from the existing bus stop to the tram ramp associated with the pedestrian refuge on that side of the road. It is recommended that footway formation (minimum 2.5m wide) be provided on the northern side of Avoca Drive with a footpath to connect the existing bus stop and pedestrian refuge on the northern side of Avoca Drive. These works have been concurred to by Roads & Maritime Services (RMS).*

*In Scaysbrook Drive a footpath was recently constructed together with footway formation across the eastern part of the frontage of the site associated with proposed Lots 2-6 to be created under DA53417/2017. (DA53417/2017 has not been registered to date.) There is no footpath across the remaining frontage of the site, i.e. proposed lot 1 associated with the proposed aged care facility. Street trees were removed in conjunction with these works across the frontage of proposed Lots 2-6 and within the frontage of Lot 1 between the existing access crossing to the former development on the site and proposed Lot 2. There is a concrete footpath on the southern side of Scaysbrook Drive. There is a pedestrian refuge in Scaysbrook Drive further to the east within the frontage of proposed Lot 3. It is recommended that the footway be formed at 2% behind the kerb line for a minimum width of 2.5m and a concrete footpath constructed to link the proposed pedestrian entry in Scaysbrook Drive to the existing footpath within the frontage of proposed Lot 2.*

#### Council's Traffic & Transport Engineer

*The application was referred to Council's Traffic & Transport Engineer. The proposal is supported provided that "upgraded footpaths connections should be developed on both side of Avoca Drive from the existing refuge to the nearby bus stops on Avoca Drive." These upgraded footpath connections also reflect the requirements in comments from Roads & Maritime dated 15/04/19.*

#### Comment:

The need for the additional footpaths along both thoroughfares fronting the subject site is understood and acknowledged. We also appreciate that conditions are likely to be imposed as part of a determination requiring the submission to Council of a detailed Section 138 Application under the provisions of the *Roads Act 1993*. This subsequent application will encompass all proposed and required works within the road reserves of Avoca Drive and Scaysbrook Drive including road works, vehicle and pedestrian access crossings, and the additional footpaths. We acknowledge that any consent issued may reinforce this by way of conditions.

It is noted that proposed works within the Avoca Drive public domain, particularly where it adjoins the site's northern boundary, have been shown conceptually on the plans at **Annexure A**. These works conceptually encompass the construction of a bus bay, new bus stop hardstand, and new footpaths and kerb ramps. However the precise nature, extent and location of these works are subject to further detailed design, after the granting of development consent.

We note that there is no proposal to relocate the existing driveway crossing in Scaysbrook Drive, but it will be upgraded. The existing sight lines have been assessed at the current driveway location and they exceed 70 metres in both directions, thereby meeting the requirements of AS2890.

## **8. Public Submissions**

### *a. Social and Economic Impacts*

*Provide additional information in relation to the positive social and economic impacts of the proposed development to address social projections raised in submissions which states:*



*- The number of residents proposed for the facility exceed the local population projections and equates to 144% of the proposed increase of people 75+ years from 2016 to 21, or 137% for the period 2021-26. Even considering all ages this anticipated 108 residents equates to 53% of the anticipated population growth projection for 2036 for Kincumber forecast planning area and 101% of population growth for 75+ years in that period. The 'dwellings and development' map proposed for this area is 2.8% of growth to 2036, thus is not intended for further large-scale developments, especially in this location where there is an environmental buffer zone between Kincumber suburb and Terrigal / Avoca Beachside suburbs.*

*The DA proposes three buildings hosting 108 residents is twice the previous density and very compacted, giving the sense of a commercial scope and scale in terms of a high-level care for the aged including 36 dementia patients, each floor having 18 beds with a single kitchenette.*

*- Potential impact on neighbourhood services including shopping centres and associated car parking, medical and dental facilities.*

#### Comment:

The proposed use is a specialised one whereby the residents have need of dedicated care and services that would generally be provided for on-site. For example, all meals would be provided on-site, and most personal, nursing and medical needs would also be met through services provided directly on-site. The recreational / entertainment needs of residents would be relatively modest and would be generally met on-site, or through specially organised and occasional trips, predominantly via private minibus. Due to the frail and aged condition of residents, there would be very little demand generated for the use of external facilities or neighbourhood services within the area which might be negatively affected by increased populations. It also follows that there would be very few adverse impacts, such as increased vehicle movements or demand for on-street parking associated with an increased number of residents.

Further, the proposal will be wholly located within the R2 Low Density Residential zone, within which the development of aged care facilities is permissible. The proposal does not involve intrusion into any 'environmental buffer zones' and would necessitate the removal of very few trees. In compensation, significant areas of landscaping are proposed which would ensure the development will sit comfortably and compatibly within the existing 'urban bushland' character of the local area.

The scale of the development is a response to the economies of scale needed to make communal facilities viable (e.g. resident & visitor café, resident hair salon), and to accommodate the operational functions associated with the facility (e.g. appropriate lines of sight for nursing staff). It is noted that kitchenettes are provided within each Household for convenience purposes only, such as the making of tea or collecting of biscuits. The kitchenettes are extraneous to the main culinary needs of residents, which would be fully met by the communal kitchen facility within the lower ground floor.

The 'compacted' built form is also desirable and appropriate as it minimises paths of travel for staff and aged / frail residents, and prevents the 'sprawl' of development over a much greater area of the site. This allows the building to be appropriately setback from the site boundaries (minimising impacts on the streetscape and neighbours, such as overshadowing) while minimising the environmental impacts to the site and allowing for significant areas of open space to be attractively landscaped.

Additional commentary on the positive social and economic impacts of the proposal, prepared by the applicant, are provided below:

## **Social and Economic Benefits**

Australia's population is ageing. On average, we are living longer in greater numbers than ever before. Older Australians represent a steadily increasing proportion of our total population and we continue to have one of the longest life expectancies in the world. The proportion of people aged 65 years or over in the total population is projected to increase from 15% at 30 June 2017 to between 21% and 23% in 2066.

Lendlease is Australia's leading provider of retirement living communities, with 16,500 residents living across 71 villages. Lendlease's view on this sector is based on an understanding that the quality of life for their residents is more than just bricks and mortar, there are a multitude of personal, local community and broader societal benefits which can be realised through the delivery of well-planned and well-managed retirement living and co-located aged care communities.

The subject site forms part of the larger senior housing development known as 'Brentwood Village retirement precinct' and the proposal seeks consent to construct a 108 bed RACF in the form of three (3) main structures and associated earthworks. Also proposed is supportive ancillary services including a café, hair salon, physiotherapy room, office space, multipurpose room and chapel for the use of residents and their visitors.

The proposed RACF is designed to be at the forefront of aged care facilities and services to provide for a modern, caring, supportive and safe environment which creates a sense of community and fosters social inclusiveness. The proposed RACF will ensure completeness and connectedness to the existing Brentwood Village creating opportunities for seniors to age in place, provide enhanced choices for independent living while providing a full suite of healthcare services for residents with high care needs.

### **Benefits of Co-locating Retirement Living and Aged Care**

As people age, several factors can drive the consideration of retirement living as an appropriate accommodation and service choice. Some of these drivers include a sense of insecurity in the community, loneliness, a health event of an individual or the loss or deteriorating health of a partner, discretionary lifestyle choices such as the wish to downsize, lock-and-leave for travel or the desire to be in a community of like-minded people. There are, of course, many other reasons. This section speaks to these and other benefits of retirement living, and its co-location with residential aged care.

#### ***Provides enhanced choices for retirement living***

There have been many studies of senior housing preferences that consistently report the great value elderly people place on independence and their determination to maintain their autonomy through their later years. Retirement villages offer a positive choice to seniors and provide an attractive combination of independence and security, as well as opportunities for social engagement and an active life. By co-locating aged care with a retirement village, if a partner or friends need to move to high care, they remain close to their loved ones who can easily visit given they are located nearby. They may also be able to continue to be involved in the social activities of the village, retaining social connections.

#### ***Allows people to age in place***

The desire of seniors to age in place and experience a 'continuum of care', rather than having to move between care settings as their needs (or those of a partner) increase, is driving a wave of diversification and new partnerships in the retirement living market. Retirement villages promote and enhance older people's choice for independent living and coupled with onsite co-located aged care, allow people to age in place. The proposed development meets the desire for continuous care by assisting residents to seamlessly transition between care services.

***Encourages economic contribution through volunteering***

Several areas in the community benefit from the surge in numbers of retirees who are active and healthy, independent and with time on their hands. At a time when the contribution of volunteers is increasingly important, given the rising demand for such services, many health and welfare agencies are seeking to recruit from the growing numbers of retirees. Rates of volunteering among the baby boomers are continuing to rise compared to previous generations with Australians aged 65 years and over, contributing almost \$39 billion each year in unpaid caring and voluntary work. This complements the aged care facility, with Brentwood residents able to consider volunteering to visit aged care residents (noting a significant percentage receive no visitors).

***Seeds local jobs growth***

Retirement and aged care villages stimulate local economies and have a significant impact on local labour markets, from the initial development and construction phase through to the everyday operations. This proposal will facilitate over 100 jobs. Jobs can include care and non-care-related roles such as maintenance, gardening and catering. Local retail and services will have opportunities to service the new facility.

***Fosters social inclusiveness***

Growing older can make it harder for people to maintain their social networks. Social isolation is a significant problem for many older people, particularly for those whose mobility is compromised by physical and sensory impairments. Developments like this increase the opportunities for social interaction and engagement, and can reduce the experience of social isolation, with consequent benefits to health, well-being and quality of life. Social interaction can both be informal and formal, resident-led activities. The proposed facility will provide numerous events and facilities which foster social interaction.

***Positively impacts health and social services***

Retirement and aged care villages play a significant role in maintaining and promoting health, facilitating the efficient delivery of community health services, such as home care services. In terms of service delivery, retirement and aged care villages offer many advantages whereby practitioners (including allied health representatives) are able to administer services and programs onsite to many people in one place, bringing health care to the resident's doorstep. These services range from preventative treatment to treatments for specific ailments and can reduce demands for in-patient services and hospital admissions.

***Promotes a feeling of safety***

The proposed development has been specifically designed to remove difficulties and dangers of living in inappropriate accommodation, and in particular the risk of falls. Emergency management call systems will be installed throughout the development to provide residents with the reassurance of assistance if required.

***Provides a secure environment***

Residents feel secure knowing that care staff are on site day and night, and in knowing that help is available across a range of matters, including benefits and financial advice. A sense of security is also derived from living in a comfortable, barrier-free environment, with onsite management providing reassurance to elderly residents.

***Allows locals to age in place***

Being in an established urban location, and through extensive research we know that locals have a preference to remain in their community, connected to established social networks and their familiar

community fabric. Importantly, ageing in place in independent retirement living that is co-located with residential aged care also enables older couples to age together, even if the care needs of one partner accelerates.

### ***The local market is undersupplied***

The Australian Government regulates the supply of residential aged care places by specifying national and regional targets for the provision of subsidised aged care places. These targets—termed the ‘aged care target provision ratios’—are currently based on the number of people aged 70 years and over for every 1,000 people in the Australian population. The number of residents proposed for the RAFC is based on two primary factors, being market demand and allocated residential aged care places in the form of bed licences. The licences are issued under the Annual Aged care Approval Round (ACAR). The proposed RACF will operate in accordance with its licence requirements.

### ***Other benefits***

The Residential Aged Care facility will serve as a base for home care services to the local community.

#### ***b. Request for amendments to the proposal from residents of Brentwood Village***

*It is noted that there has been meetings and discussion on a number of occasions with the residents of Brentwood Village. Consider the request below and provide amended plans and or response to address matters raised:*

*i. Doors fitted at the end of each corridor on the 1st and 2nd floors as shown on the marked-up plan. Doors would provide an area where residents in the end stages of their life could be located with a high level of privacy for both them and their families. The small balcony gives them the opportunity to view the gardens surrounding the complex.*

*II. Provision of one or two shared rooms for couples where couples could be actually side by side, hold hands etc. if bedridden.*

*III. Will there be rooms for people needing respite care? People who are given respite care often become permanent residents of an RACF once they have had the opportunity to sample the living conditions.*

*IV. Dedicated shuttle bus. The current Brentwood village bus has a very busy schedule and may not have the capacity to meet the service suggested in table 5, item 5 of the SEE.*

*v. Will there be a pedestrian island mentioned in table 5, item 5 which will meet the needs of pedestrians with compromised mobility to cross Avoca Drive safely.*

*vi. Concerns about the frequency of bus services. Comment on Routes 66A and 66C – refer section 2.5 of SEE. Please provide comment on Route 64 which travels along Scaysbrook Drive, only provides a bus every hour during Monday to Friday with less frequent services on weekends.*

### **Comment:**

In terms of **Points i and ii**, the RACF design is the result of a comprehensive evidenced-based design process. The layout of the building conforms to all applicable Australian Standards, the Building Code of Australia (BCA) and relevant best practice guidelines for such facilities. The current design allows for



equitable access to communal facilities (i.e. sitting rooms and balconies) for all Household residents, whilst the design of each room allows appropriate privacy for residents and their families. To accommodate couples, a certain percentage of rooms within each Household will be capable of accommodating interconnecting doors to allow convenient and private access.

It is also noted that the RACF is not a licensed palliative care facility. Regardless, Catholic Health Care does have appropriate policies in place to manage the deteriorating health of patients, and implements practices to manage equitable and responsible access for family.

With regards to **Point iii**, the proposed RACF will be able to accommodate a limited level of respite care, and this will be governed by bed availability at the time.

In responding to **Point iv**, it is advised that the frequency and schedule for the shuttle bus is yet to be determined. This is a matter that will be resolved based on demand, and in consultation with the future residents.

With regard to **Point v**, we note that there is currently a pedestrian island directly north of the site which provides safe crossing options to the northern side of Avoca Drive.

With regards to **Point vi**, it is noted that bus Route 64 connects Woy Woy to Gosford via Kincumber. The service operates 7 days a week, 365 days a year. Early on weekday mornings, and early and late on weekends and public holidays the route is truncated. The first Route 64 bus leaves Kincumber at 4:14am, and then every 30-40 minutes later until 8:05am on weekdays. This shortened route commences at Kincumber Church on Avoca Drive and terminates at Gosford Railway Station. This service operates a wheelchair-accessible bus and travels along both Avoca Drive and Scaysbrook Drive.

On weekdays the first full service from Gosford to Woy Woy Stations via Kincumber commences at 8:14am and ceases at 7:30pm. On weekends the service is limited with the first Saturday bus leaving at Kincumber at 5:45am and the first Sunday bus leaving at 8:00am. The last Saturday evening bus leaves Gosford Station at 8:20pm and on Sundays its 8:15 pm. On Saturdays the frequency of the services is every hour and on Sundays, its every 2 hours.

Route 64 not only connects the RACF to Gosford and Woy Woy Railway Stations, it also stops at the East Gosford Shops, the Erina Fair Interchange, the local Kincumber Shops, the Ettalong Beach Memorial Club and the Woy Woy Bowling Club. The service is operated under the auspice of Transport NSW by Busways Central Coast.

The other bus route servicing the site on a regular basis is Route 66A. This is the Gosford to Avoca Beach, via Kincumber and Copacabana bus and it stops on the Avoca Drive frontage to the subject site. This service starts at 6:16am on a weekday and runs through to 12:00am ranging in frequency between 30 minutes and 1-hour. On the weekend and public holidays, the frequency diminishes, but the first services commence at 10:25am and runs until 12:25pm on an hourly basis, then again later in the evening from 8:44 to 10:44pm.

In combination, these two routes provide regular public transport services connecting the RACF to shops, and other retail and commercial businesses; health and medical services; cultural and recreation facilities, and interstate transport services. In this respect, the consent authority can be satisfied that the location and its access to facilities meet the requirements of the Seniors SEPP.

## 9. General Comments

*Submit amended architectural and landscape plans to address matters raised above.*

*Review and amend reports including Clause 4.6 submissions where relevant to indicate the current revision of the plans and modifications, and/or provide commentary as to relevance of the report to the current proposal design.*

### Comment:

A summary list of the amended documents submitted with this Response is provided below:

- Amended architectural plans are attached at **Annexure A**, which reflect the changes made in response to the matters raised by Council. A 'clouded' version of the amended plans, indicating where changes have been made compared to the original DA, is also provided at **Annexure B** for ease of reference.
- An amended *Arboricultural Impact Report* is attached as **Annexure E**, which also reflects the changes made in response to the matters raised by Council. In addition, the amended Report makes reference to an updated tree survey (contained therein) which records the absence of several trees from the site (R2 zone) and surrounds since the undertaking of the original assessment in 2016. These comprise 9 trees within the site and surrounds removed in association with site demolition works / Council roadworks and 15 trees removed in association with the recently approved 'subdivision DA' for lots to the south-east of the site. In summary, the proposal now requires the removal of only 8 mature trees as a direct consequence of proposed works, and 6 of these trees are already recommended for removal due to ill health / unsuitability. Eleven additional small trees / shrubs and / or palms have been identified within the site since the original survey, which did not warrant assessment at the time due to their juvenile size. The Report notes these are *relatively small specimens of low to moderate landscape significance - it is recommended that these palms and small trees be removed and replaced with more appropriate species as part of the works* (p14). Accordingly, these additional specimens are also proposed to be removed.
- An amended *Landscape Design Report* is attached at **Annexure C**, which reflects the changes made in response to the matters raised by Council, as well as the results of the amended *Arboricultural Impact Report*. A 'clouded' version of the amended Landscape Report, indicating where changes have been made compared to the original DA, is also provided at **Annexure D** for ease of reference.
- Attached at **Annexures F** and **G** are the 2 updated Clause 4.6 requests that reflect the minor changes associated with the amended architectural plans. They also serve to:
  - Correct an error within the original '8m height plane' diagrams; and
  - Ensure the documents continue to reflect the changing requirements for such Requests in line with recent Court decisions.
- As requested, an amended *Soil and Water Management Plan* has been prepared and is attached at **Annexure H**.
- At Council's request, a conceptual Project EHS Management Plan was prepared with regard to the management of construction impacts - see **Annexure I**. This plan is supported by a number of supportive sub-plans comprising:
  - Management Plan – Stormwater and Erosion (**Annexure Ia**)
  - Management Plan – Emergency Response Plan (**Annexure Ib**)

- Noise and Vibration Management Report (**Annexure Ic**)
- Air Quality Management Sub Plan (**Annexure Id**)
- Management Plan - Waste (**Annexure Ie**)
- Traffic and Parking Management Plan (**Annexure If**)

In summary, we are of the opinion that the abovementioned information, inclusive of the attached supporting documentation, addresses Council's and the community's aspirations. The proposed aged care facility will provide much needed additional seniors housing supply offering diversity and choice, while meeting the needs of the local community. The amendments detailed above will improve the overall built quality, operation and economic sustainability of the development. We encourage Council to support the development.

Yours Sincerely,



**Mark Schofield**  
Director

**ANNEXURES:**

	<b>Element:</b>	<b>Prepared by:</b>	<b>Revision:</b>	<b>Date:</b>
A	Architectural Plan Package (Amended)	Jackson Teece Architects	Revs 1 - 2	Various
B	Architectural Plan Package (Amended) – ‘clouded’ version	Jackson Teece Architects	Revs 1- 2	Various
C	Landscape Design Report (Amended)	Aspect Studios	Revs B - G	25/10/19
D	Landscape Design Report (Amended) – ‘clouded’ version	Aspect Studios	Revs B - G	25/10/19
E	Arboricultural Impact Report (Amended)	Landscape Matrix	Issue D	25/10/19
F	Clause 4.6 Variation Request – 8m Building Height (Amended)	CityPlan Strategy & Development	Rev 02	25/10/19
G	Clause 4.6 Variation Request – 2 storeys (Amended)	CityPlan Strategy & Development	Rev 02	25/10/19
H	Soil and Water Management Plan (Amended)	Wood and Grieve Engineers	Rev 1	15/10/19
I	Project EHS Management Plan	Lendlease	Rev 5	23/10/19
Ia	Management Plan – Stormwater and Erosion	Lendlease	Rev 1.1	14/10/19
Ib	Management Plan – Emergency Response Plan	Lendlease	Rev 1	23/10/19
Ic	Noise and Vibration Management Report	Lendlease	Rev 1	25/10/19
Id	Air Quality Management Sub Plan	Lendlease	Rev 3	05/08/19
Ie	Management Plan - Waste	Lendlease	Rev 1	25/10/19
If	Traffic and Parking Management Plan	Lendlease	Rev 1	25/10/19